

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE OF THE HOUSE OF LORDS

APPOINTED TO

ENQUIRE INTO THE PRESENT STATE

OF THE

AFFAIRS OF THE EAST INDIA COMPANY,

AND INTO THE

TRADE BETWEEN GREAT BRITAIN, THE EAST INDIES,
AND CHINA;

and to report to the House.

Ordered to be printed 11th May 1830.

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The LORD PRESIDENT in the Chair.

JOHN WILLIAM RICKETTS Esquire is called in, and examined as follows :

Evidence on
the Affairs of
the East India
Company, &c.

J. W. Ricketts, Esq.

You are a Native of Calcutta ?

I am.

You were the Bearer of a Petition from a certain Portion of the Inhabitants of Calcutta and the Presidency of Fort William, which has been presented to the House of Lords ?

I was.

How is that Petition signed ; by what Number ?

Between Six and Seven hundred.

Are they mostly Persons immediately descended from European Fathers and Native Mothers, or are they the Offspring of Intermarriages ?

They are also the Offspring of Intermarriages.

Do you know in what Proportion ?

No, I do not.

Can you state the Grievances which are detailed in that Petition ? The first Grievance appears to be a Complaint with respect to their being destitute of any Rule of Civil Law ; will you explain how that operates upon the Petitioners ?

We are not recognized as British Subjects by the Supreme Court of Calcutta, if residing in the Mofussil.

That is without the Jurisdiction of the Supreme Court ?

Just so ; which throws us upon the Mofussil Courts, the Proceedings of which are regulated by the Mohamedan Law. As Christians, we cannot avail ourselves of the Mohamedan Civil Law, though we are subject to the Criminal Code. The Mohamedan Civil Code does not apply to us as Christians, though we are subject to the Lash of the Criminal Law.

It does not apply to you as regards Marriages or Succession to Property ?

The Mohamedan Code is expressly for Mohamedans. It provides for the Rights and Interests of Mohamedans.

Therefore, in all that regards Marriages and Succession to Property, you are without any Rule by which you can regulate your Conduct ?

Without any definite Rule of Civil Law.

You have said that in Criminal Cases you are subject to the Code of Mohamedan Law ?

We are.

Is that attended with considerable Hardship and Severity ; for instance, the Infliction of Punishment in Criminal Cases ?

I am not aware of its being unnecessarily severe, so far as my personal Knowledge goes ; though its Provisions are barbarous as applicable to a Christian Population.

Has there been no Mitigation of the Severity of Part of that Code ?

The Code is modified by the Company's Regulations.

J. W. Ricketts, Esq.

Is there any Appeal from that Tribunal?

To the Sudder Dewanny Adawlut in Calcutta, but not to the Supreme Court. The Question was tried in the Year 1821; and it was the Opinion of the Judges that we could not claim a Right of Appeal to the Supreme Court.

Does the Tribunal of Sudder Adawlut possess the Power of increasing the Punishment?

So I understand.

Is that the Case, without fresh Evidence being adduced?

Yes.

In that Petition there is a Complaint that from all the superior and covenanted Offices, as well as all the sworn Offices of the Marine, the Petitioners have been excluded by the positive Regulation of the Company?

Either by the positive Regulation, or by the established Usage of the Service.

Does the Preamble also provide that a Person so appointed shall not be the Son of a Native Indian?

It does, with regard to Appointments in the regular Service of the Company, and in the Military Appointments of the Company.

Does that apply after Intermarriage?

It used to do; but I believe there has been some Modification of that Rule within the last Two Years.

That Modification is by Regulation?

There is no Law upon the Subject; it is by the Orders of the Court of Directors.

Do you know of Instances in which that Modification has been acted upon, in which Persons not immediately descended from Native Mothers have been appointed to Situations under the Company?

I know certain Instances in which the Appointment was refused on that Ground on former Occasions.

Since the Year 1827, has there been no Alteration in that respect in the Regulations of the Company?

I see that the Phraseology of the Prohibition is altered within the last Two Years or so.

It is restricted to the immediate Descendants of the Mother, is it not?

I think it is. There has been no formal Regulation or Notification on the Subject; but I gather the Fact from the Phrase employed, which has been modified of late.

With regard to the subordinate and inferior Offices, which do not come under the Head of superior and covenanted Offices, is there any Exclusion of the Petitioners?

There is a certain Class of Situations which are confined by Usage to the Natives of the Country, in which we have no Share or Part whatever. It would be considered irregular to appoint us to these Situations.

From their being filled by Native Officers?

Yes.

Does that apply to Offices in the Judicial Department, such as Munsiffs?

Yes.

Are they appointed to act as Pleaders in any of the Courts?

No; that is confined to Natives.

With regard to the Military Department, how are they situated?

They can hold no Commission in the Company's or King's Service.

Are they excluded from being Non-commissioned Officers?

They are employed as Drummers and Fifers, and so forth.

Can they advance to the Rank of Corporal ?

J. W. Ricketts, Esq.

I am not aware of any Instance in which they have been so employed.

Is there an Order of the Commander in Chief in force, which prevents their holding any Commissions in the Indo-British Army ?

There was an Order passed by the Commander in Chief in the Year 1808 to that Effect.

That you conceive is still in force ?

Yes, practically so ; it has never been repealed.

Therefore they can hold no Commissions either in the King's or the Company's Army ?

No, certainly not.

Are there no Instances of any Deviation from that Rule ?

There were some of our Class who were admitted, both into the Civil and Military Service, prior to the Prohibition ; the Quartermaster General of the Army, for instance, who is an East Indian, but he was admitted prior to the Year 1791 ; and there is Mr. Achmuty, of the Civil Service, who was also admitted prior to the prohibitory Regulation.

Does Colonel Skinner hold a Commission in the Company's Service ?

He holds a local Rank in the Company's Service.

Is he descended from a Native Mother ?

He is.

Colonel Skinner is an Officer who has served with great Distinction ?

Yes ; he has signalized himself on many Occasions.

Are you aware that there was any Disinclination to serve under Colonel Skinner, on the Part of the Natives of India ?

I am not aware of such a Thing.

You never heard of any Objection being raised against him on the Ground of his Mother having lost Caste ?

No, I am not aware of that.

There is also a Complaint with regard to Non-employment of the Persons of your Class by Native Powers ; that there is a Restriction upon your Employment by the Native Powers ?

Yes.

Do you know any Instance of any Persons of your Class being employed by Native Powers ?

There were many employed by the Mahratta States ; and I believe there are some still in the Service of some of the Native States.

Do you refer to the independent Mahratta States over which the Company has no Controul ?

Yes.

In those States over which the Company has a Controul are Persons of your Class employed without obtaining Permission from the Government ?

It is generally understood that they cannot be so employed without the Permission of Government.

Has that Permission been refused, to your Knowledge, when applied for ?

I am not aware of any particular Instance in which it has been refused.

If that Permission be granted, it is always liable to be recalled, is it not ?

Yes ; should any Disturbance arise, or any War break out, they are required to return to the Company's Territories. The Mahratta Officers who were employed in the Years 1801 and 1802 were invited back to the Company's Territories upon the Promise of being pensioned. There were some who availed themselves of the Pension, and came to the Company's Territories ; there were others who were barbarously murdered by the Native Princes the Moment they came to the Knowledge of the Circumstances.

J. W. Ricketts, Esq.

The Treaties with the Native Powers only prevent Europeans being employed ; therefore under what Head do you come, as you are not recognized as Europeans in the Interior ?

We are sometimes recognized as Europeans, and sometimes as Natives, as it serves the Purposes of the Government ; there is no precise Character affixed to us in that respect.

You are generally recognized as Natives, except within the jurisdiction of the Supreme Court ?

Yes ; those Officers who were employed by the Mahratta States were threatened to be dealt with as Traitors if they did not return to the Company's Territories on the Announcement of the Order.

What Mahratta States were those ?

Scindiah and Holkar.

Are there any Institutions in Calcutta for the Education of the Children of Persons of your Class ?

There are both public and private Schools.

Is the Expence of those Schools defrayed by yourselves, or do you receive any Assistance from Government ?

We have never received any Assistance from Government in any Shape whatever.

There are Funds applicable by Act of Parliament for the Education of the Natives ?

There are ; and we are not included in that Grant. We have never received any Assistance from Government in the Education of our Offspring.

Therefore the Expence is entirely defrayed by yourselves ?

Entirely so.

Is there any other Grievance which you wish to state to the Committee ?

With regard to our not being employed by the Native States, I know of some Instances where a Penalty Bond has been taken from Persons going out from this Country to India, under Two Securities, that they should not enter into the Service of the Native States. East Indians who have come to England for Education, when they have applied for Permission to return to their Native Country, have been allowed to do so, but under a Penalty Bond that they should not enter into the Service of any Native State.

Can you state the Number of Persons of your Class in the Province of Bengal ?

I should think that the Number would not be underrated if I estimated it at about 20,000, more or less, in Calcutta and all the Provinces. There was a Police Committee Report made in the Year 1822 ; and the Christian Population in Calcutta was estimated at 13,138, of which there were 2,254 Europeans ; consequently we are included in the Remainder, that is about 10,884. The Number must have increased considerably since 1822.

The Number increases in proportion to the Number of Europeans employed ?

We out-number the Europeans, very considerably, certainly.

More Europeans being employed in consequence of the Increase of Territory, your Numbers are upon the Increase ?

Yes ; and from the Offspring of Intermarriages.

You stated that in the Provinces, you, being Christians, were subject to the Mohamedan Criminal Law ; is not that Law much altered and modified by the Company's Regulations ?

Yes, it is considerably modified.

Are not all Native-born Subjects of the King subject to the same Law for any Offence less than Felony, in the Provinces ?

I am not aware of the Extent to which they are. They are not understood, certainly, to be subject to the Criminal Law of the Mofussil Courts.

Are they not liable to be punished for Offences less than Felony by the Company's Magistrates in the Provinces ?

I am not aware of that Circumstance. I have not resided in the Interior to know the Fact.

Will

Will you turn to the Act of Parliament of the 53d Geo. 3d, Cap. 155, and state what Enactment is contained in that Clause with regard to Criminal Offences committed by British Subjects in the Provinces? *J. W. Ricketts, Esq.*

By this it appears they are subject to be punished for any Offence not being Felony by the Magistrates of the Zillah Courts. I do not know that that has ever been put into practice, which made me doubt the Fact.

You have stated, that although subjected to the Mohamedan Criminal Law, you are not permitted to avail yourselves of the Mohamedan Civil Law, being Christians; will you state under what Civil Law you consider yourself to be placed in the Province?

What I meant to say was this; that, as Christians, the Mohamedan Civil Law does not apply to us, so as to render it desirable for us to avail ourselves of it. It is exclusively applicable to Mohamedans; it applies to their Case, not to the Case of Christians. It is a singular Anomaly, that a Christian Subject under the British Government should be subject to the Mohamedan Civil Code. The Mohamedan Civil Code goes entirely upon the Principles of the Religion professed; it is based entirely upon the Koran.

Are you acquainted with Regulation III. of the Year 1793, by which all Natives and other Persons not British Subjects are amenable to the Jurisdiction of the Zillah and City Courts, and those Courts are empowered to take cognizance of all Suits and Complaints respecting the Succession or Right to Real or Personal Property, Lands, Rents, Revenues, Debts, Accounts, Contracts, Partnerships, Marriage, Caste, Claims to Damages for Injuries, and generally all Suits and Complaints of a Civil Nature. By the same Regulation, in Cases coming within the Jurisdiction of those Courts for which no specific Rule may exist, the Judges are to act according to Justice and Equity and good Conscience. By the same Regulation, in Suits regarding Succession, Inheritance, Marriage, and Caste, and all Religious Usages and Institutions, the Mohamedan Laws with respect to Mohamedans, and the Hindoo Laws with regard to Hindoos, are to be considered as the general Laws by which the Judges are to form their Decisions. Do you apprehend that under that Regulation any Christian engaged in a Civil Suit would be obliged to have that Suit determined according to the Law which was solely applicable to a Mohamedan?

I certainly think so.

What Civil Code is in use in the Provinces as regards Hindoos?

If the Party be a Hindoo, there is the Hindoo Code for him; if the Party be a Mohamedan, there is the Mohamedan Code for him; but there is no express Provision made for Christians.

Supposing a Person of the Half-blood to be the Son of a Hindoo Mother, do you apprehend that that Person would be considered as a Mohamedan, and that his Civil Suit would be tried according to the Mohamedan Law?

I think that they are generally taken for Mohamedans, and dealt with accordingly.

Do you not think that under the Regulation of which the Substance has been stated to you, the Magistrate would have a Power of acting in such a Case according to Justice, Equity, and good Conscience?

It may be so; but that is a very dubious Principle; and it would be left entirely to the Magistrate's own Sense of Justice, or his own Feelings on the Subject. The Magistrate may certainly act upon the new Principle with regard to Christians, if so inclined.

Are you aware of any practical Grievance that has been sustained by Persons of Half-blood, in consequence of the present State of the Law of the Provinces in regard to Civil Suits?

I have not resided in the Mofussil, and therefore my Acquaintance with the Practice of those Courts is very limited; but what we complain of is the Principle of the Thing, more than the Practice: the Principle is odious.

Will you state what Description of Offices are now held by Persons of the Half-blood?

They are principally employed in subordinate Capacities in the public Offices of Government.

J. W. Ricketts, Esq.

They are employed very extensively as Writers, are they not?

They are.

And as Clerks?

Yes.

As Clerks in Merchants Houses?

Yes.

As Clerks in the Customs and the Revenue Department?

Yes.

And in the Judicial Department?

They are generally employed as Clerks in the different Departments.

In the Military Department?

As Clerks in all the different Departments of Government.

Can you state whether they are employed in the Police of the Country?

They are employed as Clerks in the Police Department.

Are they employed in the irregular Corps?

They have been so employed; but the Corps were disbanded, and they were thrown out of Employment.

As long as they existed they were employed in the irregular Corps?

For a Time they were; during the Nepaul War; that is, as long as the Exigencies of the Government required their Services.

Can you state the highest Salaries received in any Case by a Person of Half-blood?

They have received Salaries as high as Four and Five hundred Rupees a Month.

That is about £600 a Year, is it not?

It is. These are very rare Cases indeed; there are not many such Cases.

Are there many Persons of Half-blood who, in your Opinion, are qualified to hold high Situations, by their Education?

Certainly. I say so with the most perfect Confidence.

Can you give the Committee any Idea of the Number of Persons whom you consider qualified to hold higher Situations than those now filled by Persons of that Class?

I dare say we might collect about 500 Persons of that Description, calculated to hold Situations of Trust and Responsibility.

How are those Persons now employed?

They are employed, as I have before stated, as Clerks in different public and private Offices.

Your Opinion is, that a well-educated Clerk is fit for a much higher Situation?

I mean to state that their Talents are not brought into proper Exercise.

You have stated the Number of Persons so employed as Clerks to extend to 500?

I should think there must be about 1,000 or more of them, altogether.

Do you mean in Calcutta alone?

Yes, in Calcutta alone; in the different public and private Offices.

The total Number of Persons of the Half-blood you stated at 20,000?

Yes.

Can you state the Number in public Offices?

There may be Five or Six hundred.

Are they extensively engaged in Trade?

Some of them are.

Are they engaged in the Maritime Trade of the Country?

Yes, they are.

To

To any great Extent?

To a pretty considerable Extent, as a Beginning.

Is any large Portion of the Trade between Calcutta and China conducted by Persons of the Half-blood?

Not a considerable Portion.

Are they in any Cases Officers and Captains of Ships engaged in that Trade?

Some few of them are.

Are there any wealthy Mercantile Houses in Calcutta?

There are some.

Can you state the Amount of the Property of any House of Persons of the Half-blood?

Baretto's House was considered one of the wealthiest Houses in India; besides which there are Lackersteen's, Brightman's, and Bruce and Allan's Houses.

Persons of Half-blood, as the Law now stands, and under the Regulations of the Company, can purchase Land in any Part of India, can they not?

Yes, they can, but under all the Disadvantages of the Case, arising from the imperfect State of the Law, and the corrupt Administration of Justice in the Mofussil Courts.

And are not liable to be sent out of the Country?

No, certainly not.

Therefore they have those Advantages which are not possessed by Europeans?

Yes, such as they are.

What Establishments are there for the Education of Persons in your Condition in Calcutta?

There is the Military Orphan School, which is supported by the Subscriptions of the Army; and there is the Parental Academic Institution, and the Calcutta Grammar School.

How many Persons may be educated in those Three Establishments?

There must be about 500 or 600 in the Military Orphan School (the Upper and Lower Orphan School); perhaps 800, including both Sexes. There are about 130 or 140 Boys in the Parental Academic Institution, and about Forty or Fifty in the Grammar School; and there are private Schools besides.

How high is Education carried in those Three Establishments you have mentioned; to what Age do the Children continue there?

The Age of Seventeen or Eighteen in the Boys' School.

The Boys and Girls are not together 'till that Age?

They are not in the same Building.

Have they any Means of Education after the Age of Seventeen?

They have no Collegiate Education after that.

There are no Means of Collegiate Education in Calcutta?

No, there are not; unless it is the Bishop's College, which is confined to Missionary Purposes. The Parental Academic Institution has done a great deal in that way; it has succeeded to a happy Extent in raising the Tone of Education in the Country.

Some Persons of Half-blood being educated as you have mentioned, and fit for higher Situations than those they can now hold; there are others, are there not, who have no Education, and who are in a State of great Destitution?

Yes; there are others who are educated in the Free School and in the Benevolent Institution, and other charitable Institutions.

In that Number of 20,000 you have mentioned, do you include the Children of common Soldiers?

I include the whole Number.

Can you state with any Degree of Accuracy the Proportion which Persons in that State of Destitution, the Sons of common Soldiers, and Persons of very low Condition, bear to the more educated Class of which you have spoken?

They must form the great Majority.

J. W. Ricketts, Esq.

What should you suppose to be the Number of the educated Persons of whom you have spoken?

I should think there must be 1,500.

Of whom 1,000 are already employed; and of that 1,000, 500 or 600 in Government Offices?

Yes.

Are those who are the Children of common Soldiers in all Cases Christians?

They are brought up as Christians.

By whom are they brought up?

The Children of European Soldiers by Native Mothers are brought up at the Lower Orphan School.

If born in the Country, what is done?

They are sent to the Lower Orphan School.

How are they disposed of when they grow up?

They are sent out as Drummers and Fifers, and so forth, and apprenticed to Tradesmen.

Are there many of the Half-blood who are not Christians?

I am not aware of any; there may be some solitary Instances. I understand, but I do not know how far it is true, that there are some Europeans residing in the Interior, who, seeing the Disadvantages under which their Offspring labour, have preferred bringing them up as Mohamedans. I have understood that there are some Cases of that kind in the Interior.

You are not able to give any general Idea of the Situations which have been held by the Fathers of those Persons to the Number of 1,500, of whom you have spoken as educated?

They have been in the Civil and Military Service of the Company, and in the King's Army, Merchants, Tradesmen, and others.

Are Persons of that Class residing in the Interior entitled to the Protection of the Habeas Corpus Act?

No, they are not.

They are treated in that respect as Native Subjects, even though they may have purchased Land in the Interior?

Entirely as Natives.

They are liable to Imprisonment at the Discretion of the local Magistrate?

They are.

In the Petition which has been presented, it is stated, that by an Enactment of the Local Government they have, as belonging to the above-mentioned Class, that is the Class of Hindoos and Mohamedans, been deprived as a Body of the Protection of the Act of Habeas Corpus; and the Regulation to which Reference is made in the Margin is Regulation III. of 1818. Is not that a Regulation for the Confinement of State Prisoners?

Yes.

The Natives are not entitled to the Protection of that Act?

No.

Therefore the Half-castes stand in the same Situation as Natives in that respect?

Yes.

Have you observed in the Persons of the Half-blood who are in poor Circumstances, a strong Desire to improve their Situation in general?

Yes, there is a strong Desire of that kind.

Do you think they are under the Influence of a stronger Feeling in that respect than the poorer Class of Hindoos and Mohamedans in general?

Yes; from the Nature of the Education they receive, and the Principles in which they are brought up. This gives a different Tone to the Mind.

Are you aware of any Applications having been made to the Government for pecuniary Aid to those Schools you have referred to?

Yes; there were Three different Applications made to the Government:
One

One was for the Supply of Medicines for the Parental Academic Institution, *J. W. Ricketts, Esq.* and Two Applications for pecuniary Assistance ; but they were one and all refused.

Would not that Assistance, if it had been afforded, have been as valuable, from the Sanction that it would have afforded to the Schools, as from the Amount of pecuniary Aid that might have been obtained ?

It would.

Are you aware of Persons of the Half-blood having been employed in Situations that have required a remarkable Degree of Circumspection and Propriety of Conduct ; as Teachers of Religion, for instance ?

They have been employed as Missionaries in some Parts of the Country.

Have they been employed as Preachers, or chiefly in the Business of Education ?

In both. They have been employed as Teachers of Schools, and also as Preachers of the Gospel.

Have you heard of their having subjected themselves in those Employments to any Degree of Reproach or Censure ?

No, certainly not ; they are still so employed.

Do you not think that the Influence which they would possess in such Employments would be very much increased by the Removal of those Restrictions to which they are now subject ?

Certainly. It is a Thing for which the Natives themselves cannot account, that the Government should reject, as it does, their own Christian Offspring, and treat them with marked Neglect and Proscription.

Do you not think that the disadvantageous Situation in which they are now placed in the Provincial Courts of Law is extremely unfavourable to their Employment and the Means of investing Capital in those Situations ?

It operates very injuriously in that Way : it must prevent their Residence in the Interior.

Can you form any Idea of the Proportion in which Persons of the Half-blood have increased within the last Ten Years, as compared with the European Population ?

I cannot form any precise Idea of it ; but the Population has increased very rapidly within the last Fifteen or Twenty Years, and is still increasing. The full Tide of our Population has flowed in, and must increase ; there is no stopping it.

Are the same Branches of Knowledge taught in the Schools in which the Persons of Half-blood are educated as in the European Establishments ?

The same. My Opinion of the Education in Calcutta is such, that, having brought Two of my own Sons to England for Education, and not being satisfied with what I have seen in this Country, it is my Intention to take them back again to be educated in Calcutta. I give the Preference to an Education in Calcutta ; that is, I see no Necessity for the Sacrifice of tearing Children from their Parents, and sending them away to England for Education.

Is more Attention paid to the Acquisition of the Native Languages in the Schools in which Persons of Half-blood are educated than in others ?

Yes. We employ Native Teachers for Instruction in Bengalee and Persian. That is a particular Branch of Education.

Do you not think, then, that if the Restrictions under which they now labour were removed, their Proficiency in the Native Languages would give them a very considerable Advantage over every other Description of Inhabitants of India ?

Certainly ; as Natives of the Country, and as Fixtures of the Soil, they might be rendered Instruments of great Good to the Country. If the real Interests of India be sought, those Interests cannot be more effectually promoted than through the Instrumentality of those who have been born, educated, and have spent their Lives in the Country ; that is my firm Opinion.

J. W. Ricketts, Esq.

Will you state whether you are acquainted with any Circumstances of Persons of your Class who have been subjected to Detention by the Government under the Regulation of the Year 1818?

I am not aware of any Instance.

You are one of the Persons who have signed the Petition to which Reference has been made?

I am.

You state in that that the Rule and Regulation of the Government of the East India Company has, by clear and express Declaration, included your Petitioners in the Class of Native Subjects of the British Government. Is the Offspring of European Fathers and of Indian Mothers, supposing a Marriage to have taken place, classed by those Regulations as Native Subjects of the British Government?

If born in Wedlock, by the Law of England they are British Subjects.

They are entitled to all the Privileges of British Subjects?

Clearly; but, practically speaking, they labour under the same Disabilities as those born out of Wedlock.

The Grievances of which this Petition complains refer to those that are illegitimate Children?

Yes, and also to their Offspring born in Wedlock.

Have you known many Instances of Europeans being married to Native Women?

There have been One or Two Instances. I think Mr. Harington, who was afterwards a Member of Council, married a Native Woman.

Do not such Instances occur among the European Soldiers and Persons in that Rank of Life?

They are married to Native Christian Women, but not to Hindoos and Mohamedans. I mean that they are married to Portuguese Women, as they are called.

The Ladies of Half-blood are very extensively married to Europeans; are they not?

Yes, they are.

In their Case their Offspring become entitled to all the Privileges of British Subjects?

Yes; but should we marry European Women on our Part, our Offspring are not British Subjects.

Do you think that if the Half-castes were put on the Footing desired by that Petition, that would tend very much to increase the Number of them?

I do not know that that would tend either to increase or decrease the Number; but it would certainly tend to place them on a more satisfactory Footing.

Is it not the Case as to the illegitimate Son of an Hindoo Mother by an European Father, in the Case of his Civil Affairs they would be governed by the Hindoo Code; and if the Son of a Mohamedan Mother by an European Father, then by the Mohamedan Code?

That would strictly be the Case; but they are generally dealt with as Mohamedans in the Native Courts.

Might not the Son of an Hindoo Mother claim that his Suit should be decided according to the Hindoo Law?

Certainly he might do so; there could be no Objection to it.

The Judge could not refuse so to decide?

No, he could not.

Would the Appointment of Persons of your Class to Offices from which they are at present excluded raise their Respectability in the Eyes of the Natives, or would it be seen by them in an unfavourable Light?

It would raise them in the Estimation of the Natives, who are at all Times disposed

disposed to identify them with their Fathers; and it is the marked Distinction *J. W. Ricketts, Esq.* that prevails which attracts their Notice; it is a Thing for which they cannot account.

You mentioned that your Applications to the Government for pecuniary Assistance to the Institutions for Education were refused; do you remember the Grounds on which they were refused?

There was no Reason assigned; the Letter merely stated that Government did not deem it expedient to comply with our Application.

There was nothing in the Letter which could lead you to suppose it was grounded on any Principles applicable alone to the Class of Half-castes?

Coupling it with the general Tenor of the Company's Policy towards our Class, it could have made no other but that one Impression, that the Refusal was grounded on the Application having come from our Class, and from the Institution in fact being an Institution that originated with and was supported by our Class.

Was not that Answer which you received from Government the same as had been returned to similar Applications from different Descriptions of Charities?

I remember Doctor Marshman having made an Application for pecuniary Assistance for the Benevolent Institution, and that Application was complied with; and Mr. Thomason having made an Application for the Female Asylum, which was also complied with; and the Government made a similar Grant to other Institutions, in consequence of Applications from Europeans in their Behalf; such as the Free School and some others.

Do you recollect any Instance of Grants having been refused which were applied for on similar Grounds to that you referred to?

I am not aware of any.

What Situation do you hold yourself in Calcutta?

I was in the Office of the Board of Customs.

State the Name of the Office?

Deputy Register.

What was your Salary?

300 Rupees a Month.

Have you any Objection to state who your Father was?

He was an Ensign in the Engineers, and died at the Siege of Seringapatam in the Year 1792.

Where were you yourself educated?

In Calcutta; in the School supported by the Army,—the Military Orphan Society.

Did you go to any other School after you left that?

No, I did not. There is one Circumstance that I omitted to state, which is this; that many of my Countrymen have been educated in England, Scotland, and Ireland, but on their going back to India they have been so much disappointed at the State of Things, that they have in many Instances returned to Europe to seek a Livelihood, finding that the Door was completely shut against them in their own Native Country. I mean Men of the first-rate Education.

Did those Persons return to India during the Lifetime of their Fathers?

Yes, in some Cases. There was the Son of a General Officer, who returned in the Year 1825; he had obtained the Diploma of Doctor of Medicine, and went out to practise, but he found that the State of Society was such as to compel him to return to Europe, and I believe he is now practising in this Country. There have been some other Instances of this kind.

Have those Persons generally returned to India as Men to seek their own Livelihood, or were they called to India by their Fathers after having completed a Portion of their Education in this Country?

In some Instances they have been called by their Fathers; in others they have gone out of their own Accord.

J. W. Ricketts, Esq.

Have they upon Arrival in India been excluded from the British Society ?

Not altogether excluded ; but they have soon been able to feel the Public Pulse on the Subject, and they could not brook any thing of that kind, and they would therefore much rather return to Europe than drag out an uncomfortable Existence like that in India.

Are any of them practising to any Extent in the Medical Profession in India ?

There are Two or Three.

They are received in Society, of course.

They are received in a certain Class of Society.

There was nothing in the Company's Regulations that prevented the Employment of the Physician to whom you have referred ?

No, not applicable to him individually.

Was he employed by Europeans ?

He did not remain long enough in Calcutta to ascertain that ; the Moment he saw the State of Things, he returned to England.

The Witness is directed to withdraw.

T. H. Baber, Esq.

THOMAS HARVEY BABER Esquire is called in, and examined as follows :

In what Situation were you in India ?

I was employed for the First Ten Years in the Revenue Department, also a Judicial Officer.

In what Part of India ?

On the Western Coast principally ; in the Malabar Province. From 1798 to 1808 I was employed in the Revenue Department, as above ; from 1808 to 1816 in the Capacity of Zillah Judge, first of the Zillah Court of Tillicherry, and afterwards of Mangalore ; from 1816 to 1824 as Third Judge of the Provincial Court of Circuit and Appeal in the Western Division ; from 1824 to 1827 as Principal Collector and Political Agent of the Southern Mahratta Country ; and from 1827 to 1828 (January 30) as Chief Judge of the Provincial Court of Circuit and Appeal in the Western Division.

Will you state by what Classes of People Malabar is inhabited ?

By Hindoos and Mohamedans, and a great many Christians. I can give the Average of the Number. The different Classes of the Hindoos, I apprehend, are about Four Fifths of the whole Population, the Mohamedans nearly One Fifth. There are about 10,000 Christians altogether in Malabar, and about 50,000 in Canara. The Mohamedans differ from those of Hindostan or the Carnatic ; they are called Mopillas, Anglicè, Sons of their Mothers.

There are many Arabs, are there not ?

A few of the Mopillas are Descendants of Arabs.

Do many Arabs still come over to the Country ?

Constantly ; every Year.

What is the Condition of the Christians of whom you have spoken ?

They are Descendants from Europeans ; some few from Englishmen, but chiefly from Dutch, French, and Portuguese ; also Native Converts.

They are all of the Half-blood, are they ?

Their Ancestors married or formed Connections with Native Women ; but there are very few of those Half-castes remaining. The Remainder are Descendants of those Half-castes.

Are there any Christians among them who appear to have any European Blood ?

The greater Proportion of them are fully, with respect to Colour, as dark as the Natives themselves.

Are there many Christians among them who appear not to have descended at any Distance of Time from Europeans ; to be pure Natives ?

There are about 10,000 Christians altogether in Malabar, I should imagine, chiefly of the Roman Catholic Church.

What

What is the Tenure of Land in Malabar?

The Property in the Soil exists as strong as it does in this Country; it is more properly allodial; the Name of it is Jelm, which means Birthright.

Is Property of that Kind equally possessed by Christians, Mohamedans, and Hindoos?

Equally.

Are the Properties of any considerable Extent?

They are divided and subdivided. There are Estates so small as to produce hardly a Rupee a Year Patom or Rent; on the other Hand, there are Estates which produce perhaps from 5,000 to 10,000 Rupees. Some Individuals possess from Ten to One hundred Estates; the Zamorin Rajah for instance: his Domains (Crown Lands) probably bring him a Revenue of from 20,000 to 50,000 Rupees a Year; I cannot exactly mention the Amount, for they are distributed all over the Country.

Do those great Proprietors manage all their Estates themselves, or lease them to Tenants?

They lease them almost exclusively, except perhaps the Land on which their Family House stands, which they never part with.

What is the Extent of those Leases?

If Garden Land, Twelve Years is the general Period; but this is often continued from Generation to Generation, without going through the Form of drawing out a new Lease or a new Assignment.

Are they in the habit of altering the Rent from Year to Year?

Yes; Garden Lands at the Expiration of the Leases, but not Paddy Fields (that is Rice Fields), which never undergo any Change, unless it is Land newly brought into Cultivation.

There is in those Cases an hereditary Tenant who pays the same Rent which has been paid by his Predecessor?

Yes; but there are Two Descriptions of Tenants; what are called the Jelm, or permanent hereditary Tenants, and the temporary, or Tenants at Will. In Canara the former are called Moolgueny, or hereditary, and the latter Chaly Gueny; in Malabar the former are called Jelm Patom and Jelm Koori, the latter Koori Kanum, or simply Patamkar. Jelm, as I have before said, means Birthright.

In what Manner is the Government Revenue assessed on those Properties?

There is no actual Standard; there never has been a Standard. In fact we have perpetuated the System we found established by Hyder, and afterwards by Tippoo.

What is that System?

It varies in different Parts of the District. In the Province of Canara it is about Twenty-five per Cent, in Malabar about Thirty, that is, of the gross Produce; though this is after all but nominal.

Is that Revenue collected from the Tenants, or from the Proprietors?

Partly from the Proprietors and partly from the Tenants; it depends entirely on the Will and Pleasure of the Proprietor.

Have there been any Sales of Land for Arrear of Revenue?

Very considerable; so much so that almost an entire Revolution has taken place in Property, owing to these and Sales in Execution of Judgments of Courts, within the last Thirty Years. When they have been sold, many of them have not fetched One Fifth of their Value; that is, original Cost.

Where a Tenant of a small Estate failed to pay the Revenue, did the Collector immediately sell that Portion of the Estate?

No. In the first Instance his Person was liable, then his moveable Property; every Article of every Description, every Thing which could be laid hold of, was seized and sold; and that failing, then the Land; even Slaves have been sold the same as Cattle.

T. H. Baber, Esq.

Did not the Collector apply to the Proprietor for the Payment of that Revenue deficient on one of the small Estates?

Not unless the Proprietor's Name was registered in the Revenue Accounts as the responsible Person.

By the Nonpayment of Revenue on the Part of a Tenant, the Property occupied by that Tenant might be sold without the Knowledge of the Proprietor?

It was very often sold. The Proprietor might step in and tender the Sum, if it was worth his while or he could raise the Means so to do.

Had the Proprietor, after the Sale, any Power of repurchasing the Estate?

The same as all other Persons, but none in consequence of his having been the former Tenant or Proprietor; he came into the Market in the same Manner as other Persons, but not in consequence of any former inherent Right.

Supposing the Estate to have been sold without his Knowledge, had he the Power of repurchasing it?

He could not prevent the Sale; it was gone from him and his Family to all Intents and Purposes.

Has any Commission been sent into that Part of the Country to remedy any Inconvenience that might result from that State of the Law?

Yes; Three. The first in 1807, under Mr. William Thackeray; afterwards, in 1817, Sir Thomas Munro; and in 1819, to the best of my Recollection, Mr. Græme, the late Acting Governor at Madras.

What Measures were adopted by those several Commissioners?

Reports and Recommendations were sent up to the Government, and more especially by Mr. Græme; and Regulations were drawn out, also Surveys were made, which were about to have been acted upon, but there were Objections to them on the Part of the People.

Nothing has been done?

Not that I know of. There was something doing when I left Malabar in 1828, I believe; but I am not aware of the Extent or Effect of it.

Is the Country well cultivated?

Highly; a Garden from one End of it to the other.

Was that so at the Time we first obtained Possession of it?

Not so much so as at the present Moment; the Country had been a Prey to intestine Wars and Rebellions for Years, and in consequence a great Part of the Population had fled to the Cochin and Travancore Countries, nearly all of whom have since returned.

Who were the chief Purchasers of the Estates which were sold?

Mopillas, and the public Servants; that is, Persons in the Receipt of Salaries from the Government; these in fact have been the most thriving.

Are the Mopillas engaged in Trade?

They are; the whole of them are Merchants and Shopkeepers, as well as Land Proprietors and Cultivators.

Therefore they invested the Fortunes they have had in Trade?

Yes.

Do they trade much with the Coast of Arabia?

Yes.

With the Persian Gulf?

Yes; with the Red Sea, especially Judda, Aden, Mecca, and Medina, and generally with all the Ports in the Red Sea.

Are their Vessels numerous?

They were; but they are not now Half what they were, in consequence of the Monopoly of Timber by the Government, who assumed and declared the

Forests to be Royalties, instead of which, those in Malabar have been purchased or inherited in the same Way as every other Description of Landed Property. *T. H. Baber, Esq.*

Are they unable in consequence to build Vessels ?

They were for some Years. I have seen several Applications, both to the Bombay and Madras Governments, requesting Permission to fell Timber themselves, or to purchase Timber of the original Proprietors ; which Requests were invariably refused, on the Ground that the Timber was required for Naval Purposes.

Has it been used for such Purposes ?

Yes, it has, to a great Extent ; but a certain Portion has been sold, chiefly what is called the Refuse, or Second and Third Sorts.

What Description of Wood ?

Chiefly Teak and Poon.

Who were the Purchasers of the Timber which was sold, which you call the Refuse Timber ?

Arabs, Parsees, and occasionally some of the Inhabitants themselves.

What is the Size of the Vessels ?

The Size of the Vessels was from One hundred to Five hundred Tons. I can mention the Names of some of the Ship Owners : the Beebee or Queen of Cananore. This Lady is Queen in her own Right.

How many Vessels has she ?

She had previous to the Monopoly Nine ; she has now Four or Five. Chowakkara Kunhy Packey, the Heir of old Moossa, a Man well known on the Western Coast, had Twelve ; that is, Moossa himself had. These are reduced, I think, to Seven. I can mention their Names and Burthen.

What was the total Number of those Vessels ?

At one Time, from Twenty to Thirty of from One hundred to Five hundred Tons Burthen, belonging to the above Two Persons and other Ship Owners ; besides which there were other Descriptions of Vessels, such as Botillas, Dows, Dingeyes, and Patamars and Munchoos.

Those smaller Vessels carried on the Coasting Trade ?

Yes ; and some of the largest of them go up to Mocha, Judda, and other Places in the Red Sea ; also to Muscat, Bushire, and Bussora, in the Persian Gulf ; Porabunder, Cambay, Cutch, Sind, and a long Way up the Indus.

To what Town on the Indus did those Vessels go ; did they go to Hydrabad or Sind ?

Yes ; I believe they go up as far at least. I have seen Bales of Cashmere Shawls brought amongst the Return Cargoes.

Are you aware whether they have ascended the River of Punjab ?

No ; I am not aware of any Communication with the Punjab Rivers. They go up the Indus ; but I am not aware of their going there further than that. I know that Peishwoor Merchants have come down in Sind Boats.

Trade to a considerable Extent is carried on to Shiccapore, is it not ?

No, I am not aware of that.

What are the Articles which are exported in those Vessels to the Red Sea ?

Pepper, Cardamums, Rice, Paddy (or Rice in the Husk), Grain of all Descriptions, Arrow Root, Ginger, Cocoa Nuts, Kopra (Kernel of the Cocoa Nut), Cocoa Nut Oil, and Coir, which is made from the Fibres of the Cocoa Nut. The Value of the Produce of the Cocoa Nut Tree alone, exported from the Western Coast, is supposed to be an Hundred Lacs of Rupees.

From what Ports do those Exportations chiefly take place ?

From Cochin, Chowgaut, Panany, Tanore, Perperangady, Beypoor, Calicut

T. H. Baber, Esq. or Kohicote, Quilandy (which is a favourite Arab Port), Kotah, Barragurry, Mahe, Tellicherry, Cananore, Cavai, Bekklum, Mangalore, Cundapore, Onore, Cumpty, Seedashagur, besides numerous intermediate Ports.

Is Quilandy a good Port?

Yes; there are more of the Arabs congregate there, and more Mosques, than in any other Port on the Coast. The Mopillas here are the fairest of all the Mohamedans.

Can Vessels of 700 Tons enter every one of those Ports?

They can approach as near as a Thousand Yards of the Shore with perfect Safety, nearly all along the Coast.

Are they safe in those Ports during the Monsoons?

No; the strongest Vessel that was ever built could not ride out a Malabar Monsoon. One or Two Attempts have been made within my Observation, but they were obliged to go off.

Where do they go to when they are obliged to go off?

To Bombay; some to Cochin, where there is a very fine River.

What are the chief Importations from the Red Sea?

Coffee, Dates, and Gold Dust; Almonds, Kissmisses (dried Grapes), Prunes, Gums, Drugs, Perfumes, Elephants Teeth. There are several others which I cannot call to Recollection at this Moment; but chiefly, however, they bring Specie, in Venetians or Sequins, and Dollars.

Do you know how far up the Red Sea those Vessels go?

The full Extent of the Red Sea. Very few of the Malabar Vessels go up that Length, but they have Agents or Commercial Dealings the whole Way to Suez.

How far do the Vessels go?

To Cosheir, I think.

Have you heard of their being frequently lost?

No; very rarely indeed.

What Time do they occupy in going and returning?

They generally go before the Monsoon, and return after the Monsoon; or rather from January to April, and return from the Beginning of August to January.

From what Part of the Coast of Arabia do the Arabs chiefly come?

Chiefly from Arabia Felix.

From any principal Port?

From Aden, Judda, Mocha, and Muscat, and all the Ports at the Mouth of the Red Sea.

Is much Trade carried on with Muscat?

A great deal, particularly with the Port of Cochin.

Are you aware whether any great Difficulties were experienced by the Merchants who come down the Indus?

No, I am not aware of any. Pirates were common some Years ago, but they are all destroyed, I believe, now.

The Question applies to the Navigation of the Indus itself?

No, I am not aware of any Impediment. I have often talked to the Sind Merchants whom I have met with at Tellicherry, Calicut, and Mangalore, but I have never been apprized of any particular Difficulties.

What are the Returns from Sind?

Cotton Piece Goods are all I can call to Recollection just now, except Shawls; but chiefly Specie. I think they generally purchase their Return Cargo with Money, which is so valuable to them.

How

How is Justice administered in Malabar ?

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According to the Regulations of Government, adopted from Bengal.

Just as it is in the other Parts of the Territories under Madras ?

Precisely the same. What is called the Civil Law is the Local Law of Malabar and Canara, called Deshachari, which differs entirely from the ancient Hindoo Law as contained in their Shasters, named Iruti, Dherma Shastra, Mimamsa, Dya Bhaga, &c.; for instance, the Local Law of Succession, Descent, and Inheritance is totally distinct, perhaps peculiar to the Western Coast, where Property descends, not from the Mother to the Son, but the Sister's Sons, and those failing to the Aunts on the Mother's Side and their Descendants. This is called Maramakatajum ; Anglicè, Nepotism.

Is that peculiar to the Hindoo Part of the Population ?

No ; many of the Mopillas, especially the Two head Families (viz. the Beebee of Cananore and Chowakkara) I have mentioned, follow the same Rule.

As well as the Hindoos ?

Yes, but not the whole ; a Portion of them follow the Law of Mohamed.

Does this Law of Descent adhere to the Family or the Land ?

To both.

If the Land was purchased by a Person of a different Religion, would it still descend according to the original Order ?

It depends upon who the Purchaser was ; if a Hindoo, or Mopilla following the Local Law, it is in his Gift ; or it may go in the Way the Property was inherited, provided it can be ascertained or proved that it was purchased with the Proceeds of the hereditary Property. The senior Male of the Family is generally considered as the Manager, although properly speaking the senior Female is the lawful Proprietor. The Cananore Beebee, for instance, also the Ranny or Queen of Travankore, under the Name of Attinga Umma Tamburattes. Treaties, every Thing of Importance, is or should be done in her Name, though the Rajah her Son is the ruling Rajah. The Husband or Father are never mentioned, and with the Hindoo Rajahs perhaps not known.

Does Property more usually descend in the Female than in the Male Line ?

Always with the Hindoos, excepting the Brahmins, in the Female Line ; but the Sons of the Females are the Managers of the Property. One of the most reproachful Terms in Malabar is calling a Man Appa ; Anglicè, Father.

Are Punchayets used in Criminal Suits in that Country ?

Not since the Establishment of the Company's Dominion.

Were they exceedingly used before ?

There were what were called Sabbahs, or Assemblages of influential Men, though not exactly of the Nature of Punchayets ; but in point of fact there was no regular Administration of Criminal Justice at any Time.

Will you state your Opinion as to the Practicability of introducing the Use of Native Juries in the Administration of Civil and Criminal Justice in Malabar ?

It would be the most acceptable Alteration to the People that could be introduced ; it is the one Thing wanting in the Part of India I have been employed in.

In that Part of India are the People who would be called to serve on Juries superior to those who would be called upon for the same Purpose in other Parts of India ?

I think they are. They would be taken discriminately, I should imagine.

Are there Persons of higher Description in Malabar ?

There are nearly 300 different Castes of People in Malabar.

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Are there Persons better educated in Malabar, possessed of more Property, and altogether really more fit to perform the Duties of a Juryman, than there are in other Parts of India with which you are acquainted?

The only Parts of India I can speak to are the Southern Mahratta Country; that is, the Country from the Kistna River down to the Toongbudra, comprising a Population of about a Million and a Half of Souls; and the Western Coast Provinces, composing a Population of between Two and Three Millions. I should say decidedly that the People of Malabar were the most intelligent and best informed of any Natives I have ever met with.

Have they ever expressed a Wish to be admitted to any Share in the Administration of Justice?

Yes, frequently. When I was Senior Judge of the Provincial Court of the Western Division, I was particularly directed to ascertain the Feeling of the People upon that Question. I have now brought with me Two Letters I received from Mr. Græme, the then Acting Governor of Madras, upon the Subject, which I can produce, if it is desired.

The same are delivered in, and read; and are as follow :

“ My dear Baber,

Madras, 21st August 1827.

“ Your Opinion has always been in favour of the Independence, the Intelligence, and the general good Character of the Inhabitants of Malabar; and you have always wished to raise them to the Possession of all Rights and Privileges that might be consistent with a due Subordination to the Government, and that would add to their Moral Happiness; you will therefore, I think, read with Pleasure the enclosed Draft of a Regulation preparing to establish Juries. It is thought better to confine them at present to those Places where the Zeal, the Ability, and the Concurrence of the presiding Judge in the Expediency of the Measure may hold out the most rational Prospect of its Success, and I am naturally anxious to know the Sentiments of one in every way so well qualified as yourself to give Effect to an important Institution, if you think it adapted to the State of Malabar. By your Answer I shall be determined on the Propriety, or otherwise, of proposing to extend the Jury Regulation to Malabar.”

“ My dear Baber,

Madras, 15th September 1827.

“ It gives me great Pleasure that you take up the Jury Regulation with your characteristic Ardour, for there can be little Doubt that with your Talent and perfect Knowledge of the Language and Character of the Malabar People, and your Partiality for them, the Measure will succeed in your Hands. The Regulation, modified by the Sudder, and sanctioned by Government, will be published in a few Days; when, upon expressing your Sentiments officially, the Government will be enabled to use the Discretion vested by the Regulation, by directing its being introduced into Malabar, when you may be known to be presiding at the Quarter Sessions.”

Did that first Letter enclose the Draft of the Regulations?

It did. I have a Copy of the Regulation which was subsequently passed by the Governor in Council. There were some Objections made after Sir Thomas Munro's Death, and it was never, in consequence, carried into effect. I can give your Lordships an Account how this Jury Regulation commenced, if it is wished. Two Judges of the Centre Division, of the Names of Newnham and Dacre, gave in a Minute to the late Governor Sir Thomas Munro, proposing the Introduction of Trial by Native Juries. The Grounds were as follow :—To remedy the double Inconvenience arising from the Foreign Origin of both English Judges and Mohamedan Law Officers, and to remove the Niceties of

the Law, or rather Scruples of the Law Officers, in respect to Evidence, and generally to facilitate the Dispensation of Criminal Justice. So imperfect was the Law itself (the Mohamedan Law), and so utterly ignorant were the Mohamedans themselves of their own Law under the Madras Presidency, that it was found necessary to import Mohamedan Law Officers from Bengal, Hindostan, Oude, Surat, &c., into the Madras Presidency, on the first Establishment of the Judicial Code. Moreover, those Mohamedan Law Officers, so imported from Bengal, Hindostan, &c., laboured under the Disadvantage of being totally ignorant of the local or vernacular Tongues of the different Provinces wherein they were employed; and it became necessary, in consequence, to interpret and translate into Persian the Proceedings held in those Languages, for their Use. The subsequent Modifications of the Mohamedan Law, introduced in the Judicial Code at the Suggestion of the European Judges, almost superseded the Mohamedan Law altogether; for instance, where a Man was convicted of having seriously wounded, or of having robbed by open Violence, the Code of Regulations of the Madras Government fixed the Punishment. Of what Use then, these Gentlemen asked, was it to apply to the Law Officer for his Scruples, that the Court might overrule them? In Cases where the Punishment was not specified, or the Offence not provided for, a Reference might then be necessary to the Law Officer; not however for the Fact, for that could be decided by the Jury, (for at present the Mohamedan Law Officers are Judges both of the Fact and of the Law under the Madras Presidency, and under the Bombay Presidency they are merely the Judges of the Law,) but as to the Law itself (as an abstract Question); consequently no Necessity could exist for Persian Translates of the Record. Doubtful Points of Evidence might also be referred to the Law Officers. Juries would be no Innovation; on the contrary, would approximate the Administration during the Native Government, by Sabbahs, or Convocations of their Countrymen. The absurd Objections to the Evidence of Police Officers would no longer exist; the innocent would be secure from falling Victims to false Prosecutions; and the really guilty would find it more difficult to escape than at present. Such were, as I understood, the principal Arguments of the Two Gentlemen above mentioned. Sir Thomas Munro's (the late Governor of Madras) Arguments were, that the Way to extend the Knowledge of the People, and to elevate the Native Character, would be, by bringing them into contact with ourselves in every Department, in order that they might perceive and understand the enlarged Views of Europeans in all Matters of Government; that the Natives themselves are much better able to trace Facts and judge of the Credibility of Evidence than ourselves or Mohamedan Law Officers; that long Experience had shewn how utterly unsuited the present System of Criminal Law was to the Circumstances of the People, or Wants of the Country. He observed also on the absurd Scruples of Mohamedan Law Officers; on the Delays and Waste of Time in recording and translating Evidence, and preparing Trials for reference to the Foujdarry Adawlut (the Superior Court at the Presidency). He further observed as to the superior Competence of Judges presiding on Trials over those of the Foujdarry Adawlut of the Presidency, from the Circumstance of the latter not seeing or hearing the Evidence. He adverted to the Objections raised by the Mohamedan Law Officers in regard to the Inadmissibility of the Evidence of Police Officers because in the Pay of Government, also of those of the Inhabitants who were engaged in Conflicts with Offenders. All which, and other similar Objections, would be obviated by Trial by Jury. Furthermore, he thought that public Curiosity would be excited by Native Juries; that the Courts would be crowded; and that the consequent Presence of their Countrymen would operate as a Check upon Jurymen being partial. The above Views and Opinions having been concurred in by the Acting Governor, Mr. Græme, a Reference was made to the Foujdarry Adawlut, by whom a revised Regulation for the Trial by Jury was submitted, on the 6th of September 1827, professedly as calculated to facilitate the Operation of the Jury System. The Judges, in re-transmitting it, observed, that they had consulted several highly intelligent Natives, who had given their readiest Aid and much useful Information to them. In their Alterations of the Draft of the Regulation sent them by Government they raised the Allowance to Jurors from Half to One Rupee per Day; observing that the Difference of Expence would not be worthy of

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Consideration, compared to the Saving in translating and in transcribing the Proceedings, and in preparing and reporting upon referable Trials to themselves. To that Part of the Regulation that empowered the Foujdarry Adawlut to quash the Verdict of a Jury, they thought that a new Trial was preferable; and that it would be better, in order to provide against unjust Verdicts, that a sovereign Power of Pardon should be lodged in the Governor in Council. They concluded their Observations by an Opinion that, though the Regulation was not perfect, it would still, in its present Form, work well in Practice; and they had no doubt that Trial by Jury would be popular and successful beyond even the Expectations of Government. After Sir Thomas Munro's Death, Sir George Walker, the Commander-in-Chief, and Mr. Ogilvie, Third Member of Council, expressed some Doubts of the Policy and Expediency of the Introduction of Trial by Jury. Sir George Walker observed, that Punchayet Arbitrations were such a Decision as might have been come to by drawing Straws, provided, that is, neither Party were bribed; that he himself had no Confidence in the Integrity of Persons to be employed as Jurors; and he did not conceive the Character of the People would be raised by this Mode of distributing Justice. He concurred in Sir Thomas Munro's Observations regarding Mohamedan Law Officers, and was at a loss to understand upon what Principle such a Personage was ever introduced. Mr. Ogilvie did not think the Natives were morally fit to discharge the Duty with Integrity and Impartiality. He apprehended that they would consider it a great Inconvenience to be put upon Juries; and that their Caste Prejudices might interfere; for instance, that Brahmins would not be convicted of any Crime the Punishment of which would expose them to Infamy or Degradation; also Sectarism, such as the Right Hand and Left Hand Castes. Notwithstanding which, he still thought that the proposed Measure of Trial by Jury offered the most efficacious Means of remedying the Defects of the present System. Mr. Græme, the Second Member of the Council's Opinions were in entire Accordance with Sir Thomas Munro's. After this, on the 11th of September 1827, a Regulation, No. X. A. D. 1827, "for the gradual Introduction of Trial by Jury," was passed by the Governor in Council. Nothing appears to have been done until after Mr. Lushington's assuming Charge of the Government. In December 1827 he recorded his View of the Jury Regulation; in the course of which he observed, that the most remarkable Feature was the Precipitancy with which this great Change in the Administration had been introduced; that, in disregard of all the wholesome Restraints of the Regulations, neither the Provincial or the Sudder Courts had maturely examined and discussed the Subject; and the Regulation had been passed in Defiance of the Commander-in-Chief's earnest Entreaty, that the Board would pause before it authorized a Plan replete with so much Mischief. Mr. Lushington thereupon proposed that a Reference be made to all the Judicial Officers and the Principal Collectors for their Sentiments, until which were received the Regulation be suspended. Mr. Græme, Second Member of Council, dissented from the above, and amongst other Observations stated, that the Judges of the Foujdarry Adawlut had expressed themselves decidedly in favour of the Trial by Jury. The Commander-in-Chief and Mr. Ogilvie approved of Mr. Lushington's Proposition to take the Opinion of the Judicial Officers generally; and, in consequence, References were made to the whole of them, and certain Questions were circulated for their Answers. Having shortly after this left India, what has since taken place I only know from Report. With respect to my own Sentiments, it has always appeared to me that the most powerful Engine that could be devised to secure the Popularity and Permanency of our Government in India, would be, by the Introduction of Trial by Jury. A large Portion of the People would not only be introduced to a partial Acquaintance with the Laws, but Self-importance and Vanity would be gratified, by the Notion that those who were engaged as Jurors participated in the Administration of the Laws, and consequently in the Support and Management of Public Affairs. That this Participation and this Conviction (so long only, that is, as they maintained the Character of Integrity and Impartiality,) would be the Means of instilling and rendering habitual to their Minds more settled Notions of Rectitude than have hitherto prevailed. That the true Merits

of

of a Case would be much better known by the Natives themselves, than by ourselves, much less by Mahomedan Law Officers. Sentences would be much more popular, and even Punishments more striking and exemplary, than they are under the present System. At all events, that this Advantage would be gained, that if Injustice is done, if the innocent do suffer, or the guilty do escape Punishment, the Odium would be transferred from ourselves to the Natives themselves; and, though last not the least important Consideration, the Saving in Judicial Establishments, both European and Native, in the whole of the Courts of Justice, would be considerable.

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The Witness is directed to withdraw.

Ordered, That this Committee be adjourned to Friday next, One o'Clock.

Die Veneris, 2^o Aprilis 1830.

The LORD PRESIDENT in the Chair.

THOMAS HARVEY BABER Esquire is called in, and makes the following Statement :

Evidence on
the Affairs of
the East India
Company, &c.

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If I had introduced the first Trial by Jury at the first Quarter Sessions A. D. 1828, as was designed by the Acting Governor, I should have submitted a few Alterations in the Regulation ; but those Alterations were not submitted to Government, because of there being a Stop put to the Regulation, as before mentioned.

In what material Particulars did you propose that any Alteration should be made ?

The 8th Section of the Regulation in question provides, that, "immediately on Receipt of the Circuit Judge's Precept, the Circuit Judge shall take by Lot the Names of the intended Number of Jurors ; but in drawing the Lots he shall exclude the Names of all Persons who had been summoned to serve on a Jury at any Time within Two Years, unless the required Number cannot be otherwise obtained than by including them ; so that no Man, except in the Case of Necessity, shall be summoned to serve on a Jury oftener than Once in Two Years." My proposed Modification would have been as follows :— "Immediately on Receipt of the Circuit Judge's Precept, the Criminal Judge shall select the intended Number of Jurors, with reference, as much as may be practicable, to the Castes of the Prisoners to be tried, with a view to counteract any undue Bias from Religious or Caste Prejudices for or against the Prisoner, provided that no Man, except in Case of Necessity, shall be summoned to serve on a Jury oftener than Once in Two Years." In the 20th Section of the same Regulation it is provided, that "it shall not be requisite to reduce any of the Evidence into the Persian Language. In Trials not referable to the Foujdarry Adawlut, the presiding Judge may dispense altogether with written Depositions, and in lieu thereof place upon Record his own Notes of the Evidence. In Cases referable to the Court of Foujdarry Adawlut, the Evidence for the present shall be taken down in the current Language of the District ; but a Discretion is hereby vested in that Court to dispense therewith, and to admit in lieu thereof the Notes of the presiding Judge of Circuit, whenever they shall deem the same to be expedient." For which I proposed to substitute this : "The presiding Judge may dispense with written Examinations, so far as to substitute in lieu thereof the Substance of the Evidence in the current Language of the Country, which shall be read over to the Witnesses in open Court, in order that its Correctness may be ascertained from themselves." In the 27th Section it is provided, that, "should the Judge of Circuit consider the Verdict not sufficiently specific, either with reference to the Value of the Property stolen, to any Aggravation, or other peculiar Circumstances charged in the Indictment, which under the Regulations of the Mohamedan Law would affect the Sentence to be pronounced, or should he deem the Verdict otherwise defective, objectionable, or contrary to Evidence, he shall remand the Jury to amend their Verdict, first explaining his Reason for objecting to it ; but if the Jury persist in their Verdict it shall

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be conclusive, unless a new Trial shall be ordered, under Section 29." My Idea was to omit that Part which commences with, "which under the Regulations or Mohamedan Law would affect the Sentence to be pronounced, or should he deem the Verdict otherwise defective, objectionable, or contrary to the Evidence." And also to omit the concluding Part, beginning with, "but if the Jury persist it shall be conclusive, unless a new Trial shall be ordered, under Section 29." Section 29 consequently called for considerable Alteration. The original Section stands thus: "If in any Case the presiding Judge of Circuit shall be of opinion that the Jury have returned a Verdict contrary to the Evidence, and the Jury, after being remanded, persist in their Verdict, the presiding Judge shall transmit an English Translation of the Proceedings held, or an authenticated Copy of his own Notes, according as the Deposition may or may not have been recorded, to the Foujdarry Adawlut; and that Court shall have Power, provided they concur in his Opinion, to order a new Trial. The Verdict of the Second Jury shall in all Cases be final." My proposed Alteration was to omit that Part, "and the Jury, after being remanded, persist in their Verdict, the presiding Judge shall transmit," &c. &c., and to say, "the presiding Judge shall have the Power to order a new Trial." In Sections 2. 4, 5, 6, 7. 13. 16. 31, 32, 33 (to be omitted altogether), and 34, there would be required some trifling Alterations, but the above mentioned are those of most Importance.

Had Mr. Ogilvie been employed in both the Territorial and Judicial Lines?

I believe he had; but I am not acquainted with his History. I recollect his holding Two Situations; first, of Master of the Mint, and afterwards, a Judge of the Sudder Adawlut.

Do you know whether many Persons who have been in the Situation of Slaves on the Coast of Malabar have become Proprietors of Estates?

I believe there are Two Instances; but they are peculiar. Generally speaking, they are not permitted to hold Land. Their Owners lay claim to every Thing that they do or may possess.

Had you any Opportunity of becoming acquainted with the Inhabitants of any other Part of Hindostan besides the District of Malabar?

Yes; the Southern Mahratta Country, lying between the Kisna and the Toongbudra Rivers.

Do you think that the Natives of the Malabar Coast were more strict Observers of Truth than the other Inhabitants of Hindostan whom you had an Opportunity of observing?

Certainly; decidedly so.

To what Cause do you attribute that?

To their keen Sense of Honour, and high Notions, and Spirit of Independence. An extraordinary Instance of the former occurred in a Trial which came before me. A Female of the Nair Caste had cohabited with a Relation within what they call the prohibited Degrees. The Circumstance coming to the Knowledge of their Family, an Application was made to me to punish the offending Parties (both the Man and the Woman). I observed that the Case was not provided for in the Regulations as a Matter of Criminal Cognizance; that perhaps an Action for Damages might lie against the Man, but that I saw no Advantage that would result therefrom to the Family; I therefore recommended to them to refer the Matter to their own Caste; observing that they had the Power to expel the Delinquents from their Caste; that this was the only Remedy I knew of or could suggest. They then petitioned me to have the Parties taken up, and banished the Country; they particularly requested that I would send them to his Highness the Rajah of Coorg, whose District adjoined that Country. This I told them also was not in my Power. The Two Seniors of the Family, who had waited upon me, went away, evidently much dissatisfied. A few Days afterwards a Report reached me, from one of my Police Officers, that this Man and Woman had disappeared. I immediately set on foot an Inquiry

Inquiry of what had become of them ; and in my Instructions to the Police Officers directed them to call before them particularly the Two Persons who had come before me as above. As soon as the Two Individuals in question heard of the Inquiry the Police Officers were making, they went and delivered themselves up, acknowledging they had put them to Death, and not therefore to annoy any other Person on that Account ; that if there was any Guilt they were the guilty Persons. The Bodies of the Man and Woman were found horribly mangled. The Proceedings of the Inquest, together with the Two Prisoners, were forwarded to my Court, when they acknowledged that they were the Perpetrators of the Murder ; and then reminded me that they had appealed to my Authority before to redress the Family Grievance, and thereby vindicate the Family's Honour ; that I had not complied with their Request, and therefore they had taken the Law into their own Hands. They were committed for Trial, and sentenced by the Court of Quarter Sessions to be hanged. As usual, the Trial was referred to the Foujdarry Adawlut, which Court confirmed the Sentence of Death, and the Warrant was returned shortly afterwards for carrying the same into execution. It was my Province, as Magistrate of that Part of the Country, to attend at the Execution, in order to make those Observations which would naturally occur to a Magistrate on those awful Sentences of the Law. Both at the Time that the Prisoners were brought before me to have their Sentence read, and afterwards at the Gallows, the younger of the Two Brothers fainted away ; when the elder encouraged him, by saying, " Be a Man. Recollect by this Act, for which we are now going to suffer, we have saved the Honour of our Family." This is one out of many Instances I could mention of the Extent to which the Natives of Malabar carry their nice, though mistaken, Notions of Honour and of Family Pride.

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The Mass of the People there are in general in wealthier Circumstances than in many other Parts of Hindostan, are they not ?

Certainly, there is more Appearance of Comfort ; but still they are in great Distress, compared to what they used to be ; owing, I conceive, to Over-taxation. I know indeed that the Revenues bear exceedingly hard upon them.

Is not the Rate of Land Assessment to which they are subjected lower than in most of the other Parts of the Company's Territories ?

With reference to the Nature of the Land Tenures in Malabar and Canara, perhaps it is. By those Land Tenures there exists an intermediate Rank, which is not, I believe, the Case in other Parts of India. Besides the Cultivator, there is a Proprietor, as well as the Government, to be satisfied out of the Gross Produce. Say it is Tenfold : Five, or the Half, would go to the Cultivator, out of which he has to subsist the Slaves, to purchase the Seed, Implements of Husbandry, Cattle, &c. &c., and subsist himself and his Family ; of the remaining Moiety, Six Tenths, or rather Three Fifths, go to the Government ; the Remainder to the Proprietor. But this Three Fifths is nominal, arising from several Causes ; the Two principal of which are, first, the great Inequalities in the Assessment, varying from Twenty to One hundred per Cent. ; the other is the Rate of Conversion of the Produce in Kind to Money, the Government receiving none but Money Payments, which upon the Average is Fifty per Cent. more than the current Rates, or the Market Prices ; so that in many Cases not One Fifth remains to the Proprietor. I have known indeed a great Number of Estates wherein, from Failure for Want of Means of Payment of the Assessment, the Government have dispossessed the Proprietor ; and that, after they have had it for Years under their own Management, the whole Proceeds, after paying all Charges, have been found insufficient to discharge the Assessment. Some of those Proprietors I have known ; for they have been under my Custody, as Judge of the Zillah Court, sent there by the Collector ; and some have been confined for Years for the Arrears so created. Proprietors also very generally mortgage their Estates to the Tenants, or others, when the Interest of the Mortgage Amount is paid from or deducted by the Tenant from the Proportion of the Rent which would otherwise have become due to the Proprietor.

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In your Evidence on a former Day, you mentioned that you had known Instances in which, when Sales of Land for Arrears of Revenue have taken place, they have not been sold for above One Fifth of their Value ?

I have.

Did you mean their full Value, supposing them to be unincumbered ?

I meant the full Value, subject of course to the Incumbrance. I have a Report from Sir Thomas Munro, in which he particularizes a certain Number of Estates (Rice Fields) which were sold as above mentioned to satisfy a Revenue of about Nine hundred Rupees, when their Cost to the Proprietor was upwards of Four thousand.

To what Circumstance do you attribute their being so sold ?

To Over-assessment.

What becomes of the Proprietors of Estates generally who have been so dispossessed ?

They are thrown upon the World to exist as they can. Some of the first and most respectable Men of the Country are in that State of Poverty at this present Moment.

Persons subject to no other Imputation of Misconduct than this Misfortune which has devolved upon them ?

Not the slightest. Their Lordships will, I trust, pardon a little Enthusiasm, while pleading the Cause of the Inhabitants of Malabar. I have been placed in a Variety of Situations of very considerable Peril during Times of Trouble. Often have I been opposed to Persons in open Rebellion, with no other Defenders but Nairs, and invariably have I found them faithful, nay, devoted to me ; and even have been killed and wounded by my Side ; and in order to shield my Person from Danger, they have surrounded me, and forced me behind a Tree. From a Principle of Gratitude, therefore, I am bound to speak with more than ordinary Feeling of them.

Were those Occasions where you were subject to Attack from other Nairs ?

Yes, and Mopillas. At Times I have had no other Defenders but the Nairs themselves.

What Proportion does the Rent which accrues to Government bear to the Proprietors Share ?

Fifty per Cent. to the Cultivator, out of which he has to provide Stock, live and dead, and subsist the Slaves. Of the other Fifty, Thirty to Government, and Twenty to the Proprietor.

In the Province of Canara, you stated the Rent of Government at Twenty-five per Cent. ?

Yes, of the Gross Produce.

Did you mean to state, that after the Government has got Possession of the Lands of Proprietors, in Default of Payment to the Government, it is the Practice of the Government to keep those Proprietors in Prison ?

Of the Collector it was, for the Deficit which may have accrued previously to dispossessing them, or which may have accrued after they were dispossessed, of which I have known several Instances.

Did you say for Years ?

Yes ; perhaps for Two or Three Years. I have now a Petition (English Translation) from some of those Defaulters themselves, addressed to the Court of Appeal while I was a Judge thereof.

And after it had been ascertained that the Lands were over-assessed ?

Yes ; I can adduce a Correspondence with the Collector on the very Subject, in which that Fact is fully admitted.

Were you in Malabar before the Introduction of the Monopoly of Salt?
I was ; and for Years both before and afterwards.

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Can you state whether any Salt was manufactured, and in what Manner, previous to the Monopoly?

There are what they call Ooppadana, Anglicè, Salt Pans, all along and in a parallel Line with the Coast. The Lands are overflowed by the Sea ; some of them are dammed up, into which the Salt Water is admitted, which, by the Heat of the Sun, being evaporated, leaves the Salt Residue.

Was that a Source of Income to the Proprietors previously?

Very considerable ; the Diminution of which is a Source of great Grievance to the Inhabitants.

Was any Compensation made to the Proprietors of Salt?

Yes.

To what Extent?

Not by any Means equal to what they enjoyed before the Monopoly.

Was more Salt manufactured in the Aggregate before the Introduction of that Monopoly than has been since?

Considerably. One Reason is, that a great deal of Foreign Salt, from being more profitable to the Government, has been imported from Goa, Bombay, Cutch, Mocha, and the Gulf.

Has the Price of Salt been enhanced in consequence of the Monopoly?

From Three hundred to Four hundred per Cent. in some Parts of the Country. I have known it stand the Consumer perhaps as high as Six hundred or Seven hundred per Cent. ; but this and other Grievances of the People I noticed in a Memorial to the Honorable the Court of Directors in August last, which, if it is the Pleasure of your Lordships, I can produce.

Have you been in any Situation in which you had an Opportunity of observing the Personal Conduct of the Punchayets?

I have ; particularly in the Southern Mahratta Country.

They acted under your immediate Orders?

Not in my actual Presence, but under my Instructions.

Was the Conduct of those Punchayets generally satisfactory?

By no means.

What was your Objection?

Because not presided over by an European.

Had you Reason to doubt their Integrity?

I believed them to be very corrupt, as Mahratta Brahmins generally are ; but I believe it is in the Power of an European, who will take the Trouble to superintend them, to prevent any thing glaringly dishonest or grossly partial.

Do you conceive, in the Opinion given by Sir George Walker, that a Decision by a Punchayet is equivalent to the drawing of Straws?

No ; I think he is labouring under a most unfortunate Prejudice.

What Reason have you to suppose that their Integrity would be greater when acting as a Jury than when acting as a Punchayet?

Because they would be selected and superintended by an European Judge, acquainted with their Language, with their Customs, with their Characters, and whose very Appearance would overawe them ; provided that the presiding Judges were selected as they ought to be ; that is, with reference to these indispensable Qualifications.

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Do you think in that Case any Weight is due to the Observation that a Regard to Caste would influence the Verdicts, and that a Brahmin would never be convicted ?

Not so universally, by any means, as alluded to. Nothing is more common than Brahmin Witnesses against Brahmins ; but in all my Experience as an Executive Servant for nearly Thirty-two Years I have never had Reason to suppose that they favoured each other more than any other Caste ; and if Caste would not have that Effect as Witnesses, I do not see why it should as Jurors.

If there was any Bias of this Kind, do you think the Decision by Three Fourths of the Jury, instead of the Whole, would be sufficient to counteract it ?

Certainly. The Regulation provides that Nine out of Twelve, (Twelve being impannelled,) or Three Fourths, shall be sufficient for a Verdict of Conviction.

Have you any Half-castes in that Part of the Country ?

In Malabar and Canara, I imagine, there are altogether perhaps about 60,000 Christians, of which 10,000 may have been originally descended from Europeans, though not a Twentieth Part of that Number carry any Appearance of it in their Complexions.

Are there any of that Description, the Children of Europeans ?

Yes ; about Fifty or Sixty, the Offspring of British Subjects.

What is the Character of Persons of that Class ?

From the Want of Education, deserted by their Fathers, and with no other Protection than their Mothers, it may be naturally supposed that they must be exceedingly indolent and immoral ; the Females in general follow the Example of their Mothers.

Are the Sons employed by the Government ?

Some of them.

In what Way ?

As English Writers, Translators, and Clerks in the Public Offices. Speaking of those that are employed, I should say that a more meritorious or trust-worthy Set of Men cannot be.

Are they respected by the Natives ?

Those in public Employ ; but I imagine it is owing to that Circumstance that they are respected.

Do you think they might be admitted into Situations higher and of more Trust than those into which they are admitted at present ?

Some few might, undoubtedly ; some that I know are worthy of any Confidence.

They are generally Christians, are they not ?

All of them ; but chiefly Roman Catholics.

Are they chiefly at the Presidency, or dispersed about the Country ?

Christians are very numerous on the Western Coast, from Bombay to Cape Comorin ; wherever there are European Stations they are most numerous.

Have any of them acquired Property ?

Yes ; some few Landed Property also.

You ascribe their Immorality to Want of Education ?

Yes ; and their being deserted by their Fathers, and left to the Protection of Persons totally unfit for the Office.

Are

Are there no Means adopted by the Government for their Benefit?

No. I myself established a Seminary at Tellicherry, (at one Time I had more than a Hundred Youths,) to which many Natives, both Hindoos and Mohamedans, contributed. Some very good Scholars were turned out; and as many as have been employed in public Offices have done Credit to the Institution.

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The Mothers are necessarily of low Caste, are they not?

Generally; though some of them have been Persons of high Caste, but who have lost Caste from their Connexion with Europeans.

Is there not a great Number of Native Christians?

There are about 10,000 in Malabar, and about 50,000 in Canara. Great Part of them are Descendants from Dutch, Danes, French, Portuguese, and the rest Converts, chiefly from low Castes, or Persons of high Caste who have lost Caste.

With regard to the Native Christians, are there not some Native Christians who have been established from a remote Period?

Yes; in the Provinces of Cochin and Travancore they may comprise about 100,000, Roman Catholics of Syrian Origin included. About 1,000 are to the Eastward of Cochin and Choughaut, in Malabar Proper; they are what are called Nestorians, or Syrian Christians.

Are they an orderly well-regulated Race?

They are, I believe, the best Subjects the Travancore and Cochin Rajahs have; they are the most industrious, moral, and obedient, and many of them, I believe, opulent.

Have you known any Instances of their emancipating Slaves they have acquired by Purchase?

I have known only a very few Instances; they were, by way of Experiment, made by myself and Mr. Græme; I know of no other.

Do you think the Christians an increasing Body?

Not the Native Christians, except the Increase from the ordinary Course of Population.

Not by Conversions?

No such Thing is known as a Convert by any of our English Missionaries. I have heard of such a Thing indeed as a Person who has forfeited his Caste turning Christian, but otherwise it is a Thing quite out of the Range of Possibility, and for a very good Reason: they lose their Civil Rights, that is, their Birthrights, immediately on becoming Converts. They are disowned by their Family, and in fact are looked upon as a degraded People.

They are called Syrian Christians?

Yes.

They have Priests?

They have a Metropolitan from Antioch. Their Priests are called Catanars. A great Number of Corruptions had crept into their Church, which have been reformed by the Metropolitan, with the Co-operation of the Rev. Mr. Jo. Fenn, formerly of Trinity College, Cambridge, and other Gentlemen of the Church of England, sent out by the Church Missionary Society. They have done a great deal of Good also in establishing Parochial Schools and an Academical Institution for the Education of the Catanars, at a Place called Cotym, in the Heart of the Travancore Country. I have understood that at one Period their Numbers were about 300,000.

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In the early Part of your Evidence, speaking of Malabar and Canara, you stated that Four Fifths are Hindoos, and the remaining Fifth chiefly Mohamedans, except 10,000 Christians?

Yes; and about 50,000 Christians in Canara besides.

Can you state the Number of Mohamedans?

I can with respect to Malabar. There were about Two hundred and forty-five thousand Mopillas, as given in a Census taken Two Years ago; but not Half that Number in Canara.

The whole Population of the Province of Malabar would be about a Million and a Quarter?

About 1,100,000 Souls.

How do you define the Province of Malabar?

Malabar Proper is that Part of the Coast where the Maylayalum Language is spoken purest; it is South of Canara; the Northern Boundary is Kagnyarote, and the Southern Cochin.

It is between the Sea and the Ghauts?

Yes.

That Province is very thickly inhabited, is it not?

Yes; I imagine about 120 to a Square Mile. The Population has nearly doubled within the last Thirty Years. I think the Population when I went to Malabar first was hardly 600,000; now, as I have before said, it is upwards of a Million.

To what do you attribute that?

The ordinary Increase of Population.

By what Law is it that Native Converts to Christianity are deprived of their Civil Rights?

The Hindoo Law as well as their own local Customs, according to which the Company's Courts are bound to regulate their Decisions in Matters of Civil Rights. The Mohamedan Law is the Criminal Law of the Land.

You stated in a former Part of your Evidence that the Regulations of the Government have nearly superseded the Mohamedan Code, did you not?

Yes; both as regards the Scruples of the Mohamedan Law Officers, as before stated, and also as regards the Law itself. For instance, a Mohamedan Law Officer in his Futwah finding the Prisoner guilty of Robbery by open Violence would, under a Sentence of Hudd, adjudge him to suffer Amputation of Two Limbs; this of course is not sanctioned by the British Government, and is therefore commuted to Imprisonment for Fourteen Years, at the Rate of One Limb for Seven Years. If convicted of Kutl Amd, or express Murder, and Kissaâs, or Retaliation, is barred, from Failure of Heirs to prosecute, or on account of Prisoner's Relationship to deceased, or the deceased being Prisoner's Slave, or any other Ground of personal Distinction and Exception from the Rules of natural Justice, such Objections are over-ruled. The Distinctions by the Imams, as to the Mode or Instrument with which a Murder is perpetrated, are not to be adhered to; but the Act is to be judged by the Intention. When Prisoners are convicted of Homicide, and the Law Officer awards Deyat, or Price of Blood, then the Fine is commuted to Imprisonment. There are other similar Modifications.

Are there many Suttees in that Part of the Country?

None. In Canara there have been Four or Five to the best of my Recollection, of the Cheetapauven Brahmin Women, since 1815, but carried on in the most clandestine Manner. In Malabar some Attempts were made, in 1805

I think

I think it was, by a Description of Brahmins called the Paulgat Puttars. The Nairs came to the Knowledge of it, and compelled the whole Party over the River into the Coimbatore Country. The Nairs hold Sagamanum or Concremation in great Abomination. In Seringapatam Two Instances occurred, one in 1816, the other in 1819. In the Southern Mahratta Country they do occasionally occur, both by burning and burying alive.

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What is the Disposition of Property among the Natives?

In Malabar and Canara chiefly in the Female Line. If there are no direct Heirs or Sister's Children, then to the Maternal Aunt's Female Descendants.

There is no Inducement held out for Suttees in the Disposition of Property?

None whatever, I may say; it is a Practice not tolerated on the Western Coast.

Is there any thing in the Disposition of Property in the Southern Mahratta Country which encourages Suttees?

No. I verily believe the Inhabitants would readily aid and support Government in abolishing it. I witnessed one particular Instance myself of such a Disposition in the Buljeewar Caste. I was making a Circuit of the Country at the Time the Information came to me that a Thely named Murthama had died, and his Widow, Deyvucky, was preparing for a Suttee. Both the Mamlutdar and Zilladar of that Part of the Country had endeavoured to dissuade her, but in vain. I ordered them to prevent it, until I came there to see what I could do to dissuade the Woman; and in the meantime dispatched another Zilladar, a Jungum, the same Caste as this devoted Widow, and also one of my principal Mohamedan Revenue Officers, named Goolam Hoosseini, with Letters to Deceased's Relations, and all the Jungums, wherein I used all the Arguments I could to convince them of the Sin of Suicide. The Result was, that owing to the Co-operation and Influence of the Jungums, the Woman was persuaded to give it up altogether. Three Days afterwards, I received a Letter from the Woman, thanking me for my Interference.

Did she lose Caste in consequence?

No.

Had any Gold been discovered in Coimbatore before you left India?

Yes; not only in Coimbatore, but throughout that Tract of the Country lying West and South of the Neelgherry Mountains and Koondanad. I have often seen the whole Process, and have purchased Gold extracted before me.

Is it found there in any Quantities?

Yes. The whole of the Country West of the Neelgherry Mountains, in the Talooqs of Parakameetil, especially at Nelliala, Cherangote, Koonyote Kotah, Nambolacota, Daraloor, &c. &c., also the adjoining Koondanad and Gâat Mountains, and all the Rivers and Cholas (Watercourses) down as far West as Nellambore, and South-west as Caladicota, Karimpure, Aliparamba, &c., the whole Tract, including the Mountains, perhaps comprising 2,000 Square Miles, I may say, is impregnated with Gold. Even the very Stones in the Beds of Rivers, when pounded, have been found to contain Particles of that valuable Metal.

Do you know whether any considerable Quantity has yet been brought from that Country, or in large Pieces?

I have seen Pieces perhaps weighing Half-a-Guinea; solid Pieces; but generally it is in extremely small Particles.

Is it found in washing the Sand of the River?

Yes, in all the Rivers as far as Nellambore, Karimpure, &c., as well as in the Soil.

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Is the Right of searching for it confined to the Government, or to the Proprietor of the Land?

To the Proprietor of the Mountains and Places where it is found, which are equally private Property as the Lowlands.

Are there any Establishments formed for the Purpose of seeking for it?
None. The Persons employed are the Slaves of the Proprietors.

How long has it been known to be produced in this River?

As long as we have known any thing of Malabar. The Process is, as your Lordships may suppose, with such People, extremely simple.

How does it happen, if it is so abundant, that it has never been sought for on a greater Scale?

Because the Land belongs to Individuals, who are exceedingly jealous, and will allow no Persons but themselves to dig for it. They probably extract as much Gold as their Means will enable them.

Are the Proprietors poor?

Generally very poor.

Would it require Capital to carry on this simple Process?

Some Capital, certainly; but unfortunately that Part of the Country is so very unhealthy that few Strangers could stand the Climate.

Is there any Gold on the Neelgherry Hills?

Some was brought to me from about Halfway up the Western Hills, by the Koties, Potters, and Basket Makers.

The Climate of the Neelgherry Hills is very good, is it not?

It is perhaps the finest in the World. The Thermometer ranged from about 50° to 55° during the Time I was there.

Have the Agents of the Company ever been instructed to make an Attempt to establish a more extensive Search for it (the Gold)?

Never. The Government derive a Revenue from the Pattees, or the Trays in which the Gold is washed. Each Pattee pays so much per Annum; I forget the Amount; but I know it is a very few Rupees.

Have you any Notion of the Quantity that has been found; is there any Account of that?

No, I have not; and the People themselves are very averse to give any Information. They naturally suppose that our Object, in all Inquiries of this kind, is to raise our Demands upon them.

Are not the Government aware of the Amount?

No; they merely lay an Assessment on the Pattees or Trays employed.

It has no Reference to the actual Quantity of Gold produced?

Not that I am aware of. The Revenue, I believe, is merely nominal; merely an Acknowledgment.

You said that Gold Dust was imported from Arabia?

Yes; and from the Gulf also.

Are there any Mines in Malabar?

Those are the only Mines I am aware of. They dig sometimes very deep; but from Want of Machinery have no Means of going on, not being able to prop up the superincumbent Ground.

Have they ever found this Gold in very large Masses?

The deeper they go the larger the Particles are, generally.

Have they ever pursued any Vein of it ?

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No ; but there is not a Part of the Country where they can dig that they do not find it, in larger or smaller Quantities. The largest Quantity is found during the Monsoon, being washed down the Hills by the Torrents of Rain at that Season.

Would the Proprietors of Land be indisposed to let their Lands for the Purpose of permitting the Gold to be got ?

They would be very glad to sell their Land.

Would they be glad to sell it at such a reasonable Rate as would make it worth the while of Persons of Capital to take it ?

I am sure they would.

Are there any Difficulties arising from the Regulations of the Company that preclude such an Arrangement ?

On the Part of Europeans, undoubtedly. No European is allowed to go into the Interior without special Permission.

Are there any Difficulties that regard the Natives ?

Yes ; the Nature of the Climate. Whenever I have been there myself I have experienced the ill Effects of it.

And this Physical Obstacle would therefore apply to Europeans ?

Not perhaps to that Extent it would to Natives, owing probably to their Difference of Living. I think Europeans would have a better Chance of their Health than Natives.

Have the Company endeavoured to search for it on their own Account ?

Never, that I know of.

Was it Part of your Duty to suggest to them Things of that kind when you were there ?

I think I did write on the Subject to my Superior, when I was in charge of Wynând, in 1805-6 ; but I was a subordinate Officer at the Time. I think my Suggestion was to have some scientific Persons sent to explore that Part of the Country.

Was any thing done upon that ?

No.

You are not aware that the Company have taken any Steps to see whether they can increase the Production ?

No. I am pretty certain they have not.

Do you think that has been prevented by the extreme Jealousy of the People on the Subject ?

I rather think the Government have never turned their Mind to the Subject ; the Income derived is so trifling, it was not perhaps of sufficient Consequence to attract their Observation.

What is the Character of Slavery in Malabar ?

They are absolute Property, as much as the Cattle upon a Man's Estate ; they are bought and sold in the same Way. A Slave generally sells from Five Rupees to about Twenty, or about Ten Shillings to Forty Shillings ; when leased out the usual Patom or Rent is Four Fanams, which is about Two Shillings a Year. I could give a List of the several Castes comprising the whole of the Slave Population. There are upwards of 100,000 of them in Malabar alone, and they are in that abject degraded State that it is Matter of Astonishment that no Legislative Provisions have been enacted to improve their Condition. The very Appearance of them, particularly those in the Eastern and South-east Parts, bespeaks their Wretchedness. Small in Stature,

T. H. Baber, Esq. spare Arms and Legs, with large Stomachs, in fact more like Baboons than Men. Perhaps there is no Person who has had the Opportunity I have had of seeing and knowing these unhappy Creatures.

How are they dressed ?

In the most retired Parts of the Country, with nothing but a Plaintain Leaf tied round their Waists ; in the more open and cultivated Parts, a Waist Cloth, perhaps about Three Feet in Length and about a Foot broad, secured by a Knot in Front.

In what Kind of Labour are they more generally employed ?

Agriculture ; never as Domestic Servants. They are not allowed to come within a certain Distance of several of the Hindoo Tribes, or their Houses. Mopillas employ them occasionally in Domestic Labour.

But the Hindoos never ?

Never.

Are they all Natives of the Soil, or are any imported ?

There are none imported now, I believe. There were some imported from Travancore and Cochin, or rather kidnapped ; many of them free-born Children, stolen during the Night-time. Many of them I discovered on the Plantation of a Native-born British Subject.

Was he convicted of having kidnapped those Slaves ?

No, though he ought to have been. His Agents, that is, Persons in his Employ, were brought to Trial, and I think discharged in consequence of some Scruples on the Part of the Mohamedan Law Officer.

Did it appear that he was cognizant of their having been kidnapped ?

The Resident of Travancore, Colonel Munro, sent me a Letter, which this same British Subject had written to him, soliciting his (the Resident's) Protection of his (the Writer's) Agent, who had been taken up in Travancore for this very Act, and requesting he would obtain his Release on whatever Terms might appear to him reasonable. This Letter, and all the Correspondence it gave rise to, I can produce, if it is their Lordships Pleasure.

What became of the Children ?

I sent the whole of them back to their Parents, for which I received, through the British Resident, the Thanks of the Government of Travancore.

Can you speak as to the Character of Slavery in any other Part of the District ?

In Canara, Malabar, Coorg, Wynand, Cochin, and Travancore, it is of the same Description, and perhaps the whole Slave Population amounts to 400,000 Souls.

Is their Condition, as far as you have had Occasion to observe, much the same throughout all that Range of Country ?

I think in Canara the Landholders treat their Slaves better than they do in Malabar, from the Circumstance of the Landholders being better Farmers and in better Circumstances.

In fact the Effect of the very heavy Demands of the Government from the Landholders falls on the Slaves ?

To a certain Extent, certainly ; as far, that is, as impoverishing their Proprietors.

That causes them to exact more severe Labour ?

It is not on account of the Labour they exact, but that they do not subsist them as they ought to do. Often may they be seen in the wildest Part of the Forests and Mountains, digging for wild Yams for their very Subsistence.

This

They are quite a different Race from the other Inhabitants of the Country?
Quite different.

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Is there not some Idea that they were the Aborigines of the Country?

They are supposed to have been the Aborigines of the Country. Their History, which, like all the other Indian Stories, is wrapped up in Fable, is as follows; Srb Parasu Rama was incarnated to destroy the Rajahs (Kheterees), then oppressing the Earth. After Twenty-one different Battles, he slew them all. To expiate which, it being a great Sin to slay Heroes, called Virahatirju dosham, he went to Gokernum, and having there performed Sacrifices, and prostrated himself to Varuna, he made the Ocean retire, and thus created 160 Kadums of Land.* He then went and brought the Arya Brahmins of the Sixty-four Grams, and to induce them to remain he went in Search of the wild People who inhabited the Forests and Mountains, collected them, and presented them to the Brahmins as Adiares, or Slaves, since which Period they have been considered as Jelm Property equally with the Soil itself.

* The Tract of Country lying between Gokernum and Kanya Kumari (Cape Comorin).

What is the State of Cultivation in Canara; is it fertile?

Certainly. I think they are much better Farmers there than in Malabar; they take more Pains to improve the Soil than they do there. In Canara Leaves are strewed over their Fields, and then ploughed up. This is the general Mode of manuring.

The Witness is directed to withdraw.

Ordered, That this Committee be adjourned to Tuesday next, One o'Clock.

Die Martis, 6^o Aprilis 1830.

The LORD PRESIDENT in the Chair.

THOMAS HARVEY BABER Esquire is called in, and further examined as follows :

Evidence on
the Affairs of
the East India
Company, &c.

T. H. Baber, Esq.

Was there not a Monopoly of Tobacco established in Malabar ?
There was, and is still.

In what Year was that established ?
I think it was in the Year 1806. It was a Year or Two previous to the Regulation having been passed legalizing it.

Were you in Malabar previous to the Imposition of that Monopoly ?
I was, for some Years.

Can you judge of the Effects it had upon the People, as to the Price of Tobacco, and as to the Oppressions which grew out of it ?

It has been one of the principal Subjects of Complaint from the Time of its first Institution up to the present Day. The Monopoly in the first Instance raised the Price from Three to Four hundred per Cent., and, owing to the Abuses in the Management, often to from Seven to Eight hundred per Cent. to the Consumer.

Is Tobacco an Article in much Use amongst the People in Malabar ?
Universally. It is a Necessary of Life in that Country.

Is it grown in Malabar ?
A very little in the Mountains ; but the Cultivation is prohibited, except in a very few Instances.

Is the Consequence of Monopoly to introduce much Smuggling ?
Yes ; and with it its concomitant Evils, a great deal of Crime. The Smugglers, in Bodies from Fifty to an Hundred, often assemble, and plunder wherever they go, and have been known to overpower the Police. In Coimbatore, where they go to bring the Tobacco, very great Enormities have also been committed. I can read to your Lordships a short Paper upon the Subject, which will give a full Insight into these Things. It was introduced in a Memorial I addressed to the Court of Directors in August last, after my Return to this Country. " Tobacco Monopoly Abuses.—" The Complaints on the Tobacco and Salt Monopolies were first noticed by me in my Report dated 28th December 1808. The Subject was repeated at every new Abuse, and at length attracted the Notice of Sir Thomas Munro and Mr. Commissioner Græme. Not only had the People to pay the Company's Monopoly Price, which was about Four hundred per Cent. upon the Selling Price when the Monopoly was first introduced, but the additional Profit put on by the Retailers, besides cheating by means of false Weights, watering, &c. Mr. Reid, the Second Judge of the Provincial Court in the Southern Division, and the Judges of the Sudder Adawlut, also took up the Subject ; and in consequence, after long Discussions, the Monopoly Price was reduced, in February 1816, from 228 to 175 Rupees per Candy ; and the then Collector (Mr. Vaughan) in the same Year reported

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that it was not unfrequently sold at 200 per Cent. on the Monopoly Price (R. $175 \times 3 = 525$ per Candy), or more than 800 per Cent. upon the Selling Price to the Consumer when the Monopoly was first introduced. Nor were the Tobacco Grower's Grievances inferior to the Consumer's, owing to the overgrown Influence of one Cassee Chitty, the late Collector Mr. William Garrow's confidential Servant in Coimbatore; in consequence of which the Ryots got but a Moiety of what the Government ordered them to be paid for their Tobacco (R. 24 per Candy), and on this Account alone sustained a total Loss in Four Years (as reported by the Commissioners, Sir Thomas Munro and Mr. John Sullivan,) of 4.55.000 Rupees; and Mr. Sullivan has further shewn, in his Report to the Board of Revenue, that the People of Coimbatore have just Cause of Complaint against Government, for their Interference in their Cultivation and Disposal of Tobacco, after having permanently fixed the Land Assessments; and he observes, that 'to make free Markets, free Prices, and unrestricted Cultivation the Data for assessing Lands, and then to shut the Markets, regulate the Prices, and restrict the Cultivation, was surely to trench upon private Rights and to violate public Faith;' and every Circuit Judge has noticed the Scenes of Bloodshed and Rapine which follow the Steps of the numerous Bandittis of Tobacco Smugglers. Mr. Sullivan reported the burning and Plunder of Villages where the Ryots refused to sell their Tobacco to Smugglers not an unfrequent Attendant upon Smuggling; and Mr. Commissioner Græme has noticed, 'that the present System augments the Duties of the Collectors, Magistrates, and Courts of Justice, inasmuch as it raises a Host of Smugglers, and consequently an Increase of Crime, and Frauds without End amongst the Native Servants.'"

Have any Orders at any Time been issued to compel the Sale of Tobacco among the People of Malabar?

Tobacco, as I have stated, is a Necessary of Life in a humid Climate like Malabar. I have seen Orders issued by the present Principal Collector to his Native Servants, ordering them, under Peril of Dismissal from their Offices, to sell a certain specified Quantity. I have Three of those Orders. They are in the original Language. I will read them in English.

What is their Date?

1827.

Will you read the first of them?

"The Order from the Principal Collector, Mr. Sheffield, to the Tehsildar of the Nedungaad Talook. Your Report of Tobacco Sales in your Talook, from the First to the Sixteenth of Meenam, gives but Eighteen Tulams; whereas Five Candies ought to be sold every Month in your Talook. I now warn you, therefore, that if your Sales fall short of that Quantity, you shall certainly be dismissed from your present Situation, as I before warned you. Dated the Malabar Year 1002, 18th of Meenam; corresponding with the 29th of March Anno Domini 1827."

What Measures were the Consequence of such Orders?

A very considerable Augmentation in the Sales. The Board of Revenue reported on the 2d August, that Mr. Sheffield's System was working with extraordinary Success, having in Four Months produced an Increase of about Twenty-eight thousand Rupees. I did hear that in the whole Twelve Months the Increase was about a Lac of Rupees.

How was that Increase produced?

I have heard that Tobacco was forced upon the People in some Instances.

In what Manner could it be forced upon the People?

By compelling them to take it. I have heard of its being left at their very Houses; and I believe the Fact to be true.

Was that supported by a Suspicion of Contraband Tobacco in the People's Houses?

I never heard of such a Suspicion.

Can

Can you state more precisely the Means of Compulsion which were used to force the People to take the Tobacco, and how the Price of the Purchase was repaid? *T. H. Baber, Esq.*

I did hear that it was repaid at the Time the Kists, or Revenue Instalments, were collected.

In what Manner is the Salt purchased from the Manufacturers measured on the Receipt, and in what Manner is it measured on the Sale?

I will read an Extract from my Paper given in to the Court of Directors in August last. "With respect to the Salt Monopoly, the People have been as loud in their Complaints as against the Tobacco Monopoly; and believing as I did, and still do, in the Truth of their Representations, I brought them to the Notice of Government, pursuant to repeated Orders of Government. That it was undoubtedly, as a Servant to the Honorable Company, my Duty to do so, in order that Measures might be employed for remedying the Abuses which existed, and for avoiding the Evils which I apprehended." (Those Evils I apprehended were, that the People would be again driven into Rebellion; such Instances of Commotions having unfortunately before existed in Malabar and Wynaâd.) "These Complaints were, first, that many were prohibited from manufacturing Salt, and thereby their Lands which had cost them large Sums of Money were rendered useless to their Owners, as they would yield no other Produce. The extensive Suppression of Salt Pans both in Malabar and Canara is a Source of great Grievance both to the Proprietors and actual Manufacturers, who, 'to the Number of 6,438 in Malabar alone,' (as reported by Mr. Commissioner Græme in his Letter to the Board of Revenue dated 31st of August 1820,) 'were thrown out of a lucrative Subsistence; and the Compensation (which was not paid for Years, and sometimes not at all, as set forth in Petitions presented to myself,) was very inadequate.' This, 'tis true, the Proprietors in some measure brought upon themselves; but, as Mr. Græme says, the Collector disguised the Design with which he called for a Return of their Profits; and they, in return, concealed their Resources; and it would be rather severe to inflict a permanent Punishment on them for this Offence. In lieu of this Annual Compensation, Mr. Græme recommended the Purchase of the Privilege of Manufacture, or in other Words the Fee Simple of the Salt Pans. It should also be borne in mind that the Suppression of the Salt Pans is not provided for in the Salt Monopoly Regulations of 1807. On the contrary, a particular Distinction is made in favour of the Inhabitants of Malabar, who are to be at liberty to carry on the Manufacture, under the Penalty of Confiscation of the Salt, and of a large Fine, for selling to any other but the Officers of Government. Secondly, the great Difference in the Measurement, in the Receipt or Purchase from those who are allowed to manufacture, and in the Issue or Sale, which was represented in specific Complaints" (which I forwarded to Government on the 3d of December 1814) "to amount to a Reduction in Quantity of One Half, partly caused by the Operation of pressing down, and partly by a subsequent Deduction of Two in Ten over and above such unfair Measurement; while in the Issue or Sale no such Allowance was made to the Retailer or Purchaser. This Difference Sir Thomas Munro ascertained by an actual Inspection was Thirty-four and a Half per Cent. to the Purchaser, and Fifty-three per Cent. to Bunjarees, or Foreign Purchasers. The then Collector, in his Return to my Precept dated 11th of December 1811, (in Cause No. 1,160 on the File,) himself admitted, that it amounted to Forty per Cent.; viz^t., Twenty on the Salt Deliveries by the Manufacturers, on account of Wastage, and Twenty more in the Difference of Measurement in the Receipt and Retail of Salt. Thirdly, the additional Price put on by the Retailers, besides other numerous Frauds, which enhanced the Price to the Consumer from One to several Hundred per Cent., according to the Distance from the Salt Depôts, which are all on the Coast; and both in the Tobacco and Salt Monopolies the Employment of European Agents (exclusive of the Company's covenanted Servants) is felt as a very great Hardship, especially by those who have suffered most by the Institution of these Monopolies. Ever since the Year 1808, (vide my Letter to the Honourable the Governor of Madras dated 28th December 1808,) I have constantly noticed the Injury to

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our Native Subjects by this preference in Malabar; and in the last Paragraph of my Letter to Government, dated 8th April 1828, I mentioned one Individual (Mr. Johnson, a Partner in the Firm of Messrs. Shotton and Co., Bombay,) who had no less than Four Contracts; vizt., for the Supply of Tobacco to Government for the Consumption of Canara for Three Years (about 1,300 Candies annually); for importing Goa Salt into Canara (about 600 Candies); for supplying the Lacadive Islanders with Rice; and for carrying these Articles from one Part of Canara to another. It may be argued that it is safer to trust Europeans than Natives with these exclusive Privileges; but I am of a very different Opinion. I know indeed that the Tobacco imported by Mr. Johnson is of a very inferior Quality to what it used to be, and what the People have a Right to expect; and it will be obvious that the same Profit which would make it worth the while of any European to speculate in these Contracts would afford a Provision for Hundreds of Natives, and who, from having suffered by these Monopolies, have by far greater Claims upon us than our own Countrymen, who have numerous Modes of gaining a Livelihood from which the Natives must for various Reasons be for ever shut out."

In what Manner is the Salt measured when it is purchased for the Government?

What Alteration has taken place since the Period that I was a Magistrate I cannot say; but at the Time I was in Authority, and had Opportunities of knowing those Things, the Custom was to press it down by the Hands and Feet in the Parah (a large wooden Measure); while in the Issue it was piled up as light as could be; by which Means there was, I imagine, a Difference of at least Twenty per Cent. Another Twenty per Cent. was taken from the Manufacturers, thus: for every 1,000 Dungallees 1,200 were required.

Was the same Allowance made on Sale as on Purchase?

It was not.

Was the Injustice of this Manner of Purchase and Sale noticed by Sir Thomas Munro?

It was. I can give the Date; viz. Para. 49, in his Letter to the Chief Secretary to the Madras Government, dated 4th July 1817.

Was there not, during the Period of your Residence in Malabar, a Monopoly of Timber?

There was, both of the Timber and of the Forests, which were taken Possession of by the Government.

Did that Monopoly extend, not only to the Forests but to Timber in the Gardens and Fields of the several Proprietors?

It was not, I imagine, so intended in the first Instance; but the Conservator, the Officer whose Province it was to superintend the Monopoly, extended it to Timber grown in Gardens; but I believe it was that Officer's own Act. Great Complaints were frequently made, but I never heard of any Redress, until Sir Thomas Munro abolished the Monopoly altogether. This, I think, was in 1823.

During that Time was the Price of Timber much raised, so as to stop Shipbuilding on the Coast of Malabar?

It was not procurable on any Terms. The Company took the whole Quantity, except what was called the Refuse, which was of little Use in Shipbuilding.

Was Shipbuilding stopped on the Coast of Malabar in consequence?

Entirely. I have seen Applications from the principal Shipbuilders to the Conservator of the Forests and to the Government, to sell to them, or to be allowed to purchase, Timber to build and repair their Vessels. They offered to purchase at any Price.

Since the Monopoly was taken off, has Shipbuilding improved?

Yes; Four or Five Vessels have been built, or are building.

Is there not also a Monopoly of Cardamums ?

The Cardamum Farm is annually given to the highest Bidder, the Proprietor receiving a Portion, nominally Half the Produce, but really not a Third.

Is the Proprietor compelled to sell them ?

He is obliged to deliver them to the Farmer; the Person, that is, who contracts for the Produce.

Is there a similar Monopoly with respect to Arrack and Toddy ?

There is; the Toddy is the Juice of the Cocoa Nut, and Arrack is a Distillation from the Toddy.

Are those Monopolies merely confined to the Company's Territories, or do they extend to any of the Independent States ?

I do not know of any what I understand by Independent States. There are the Territories of the Rajahs of Mysore, Coorg, Travancore, and Cochin; but they are controuled by British Residents.

Do you not consider the Territory of Cananore as independent ?

Certainly not. The Beebee of Cananore has a small Tract of Land, Five or Six Deshams, in the Vicinity of Cananore, and also the Lacadive Islands, for which she pays an annual Sum, about 10,000 Rupees, to the Government; but she has not a Particle of Authority; she merely collects the Revenues, that is, the Government Share of the Land Rent.

Are those Monopolies introduced into her Territories ?

They are.

Is that by Treaty ?

No; and has in consequence been, and still is, one of her Complaints, as set forth in a Petition I was the Bearer of from the Beebee of Cananore to the Honourable Court of Directors.

What are the Transit Duties in the Province of Malabar ?

Internally there are no Transit Duties that I know of; but passing into another Province there are. The Frontier Duties are farmed out.

In what Manner are the Duties farmed out ?

To the highest Bidder.

Are they fixed Duties, or are they very much under the Controul of the Contractor ?

In Malabar and Canara there are certain defined Rates; but in the Southern Mahratta Country, while I was in Authority, they were farmed also to the highest Bidder. But the Rates were quite arbitrary; sometimes Portions of the Country were farmed out to different Contractors, who sublet Portions again to others; nothing is defined; it is left almost wholly, I may say, to the Contractors themselves. There being a Variety of Subrenters, a kind of Competition is caused amongst them, by holding out Inducements to the Merchants to go through their Part of the Country.

If there are Three Roads from one Place to another on which Transit Duties may be levied, is there a Competition amongst the Contractors or Subrenters to get them to come that Road ?

Yes. As they collect the Duty without reference to the Commodity or its Value, but by the Number of Head of Cattle, (all Merchandize being transported by Bullocks,) owing to the contending Interests of the Renters, they do all in their Power to get the Merchants to come by their respective Chokies or Stations. I should add, that, besides these Duties, the People are subject to hereditary Imposts called Russooms, claimed by particular Families.

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Is the Effect of this Competition to lower or raise the Duty?

The Effect of all Competition is rather to reduce; it will have the same Effect naturally there.

What is the State of the Government Forests since the Cessation of the Government Monopoly?

The Forests were given up wholly to the Proprietors.

Are there no Forests belonging to the Government now?

In the Northern Part of Canara, that is, from the Subramanny Pagoda, East of Mangalore, there are; all the Forests to the Eastward, or on the Ghaut Mountains that is, are the Property of the Government; I never, at least, heard of any Individuals laying Claim to them. But the whole Tract of Forests South of Subramanny is claimed, and I have no doubt is the Property of private Individuals. I have seen many of these Title Deeds upwards of a Century old.

The Reason for the Monopoly originally was, that the Timber might be supplied at a lower Rate to the Dock Yard at Bombay?

The ostensible Reason given in the first Proclamation by the Principal Collector of Malabar, dated 18th July 1806, stated, "That the Honourable Company had Occasion for Teak Trees for the Purpose of building Ships, and therefore the Government had resolved to grant a Monopoly to one Chowakkara Moosa, in order that it might be furnished with the Trees it wanted at a low Price," &c. The subsequent Proclamation by the Madras Government, dated 25th April 1807, announced, "the Assumption, in pursuance of Orders from the Honourable Court of Directors, of the Sovereignty of the Forests in the Provinces of Malabar and Canara."

Was Timber cheaper in consequence of that Monopoly at Bombay than it is at present?

I rather think the Price was considerably enhanced to what it was before the Monopoly, owing to the Expence of the Conservator's Establishment.

Was the Conservator sent by the Government of Bombay, or by the Governor of Madras?

By the Governor of Bombay; the Forests were re-transferred to Bombay by Orders from the Court of Directors.

There was no Survey originally of the Forests?

There never was. I beg to refer their Lordships to a very able Minute, one of the Documents published in Sir Thomas Munro's Life, containing full Information on this Subject.

Is the Cultivation of Tobacco prohibited in Malabar?

Very little at any Time was cultivated, and that confined to the Mountains of Wynaad; a few Individuals among those Mountaineers have, I believe, obtained Permission to cultivate a small Quantity for their own immediate Consumption.

It cannot be cultivated without Permission?

No.

Is the Soil suited to the Cultivation of it?

Yes; throughout the Mountainous Region of Wynaad. This Tract is situate between the Upper Country of Mysore and Malabar; it is the same Country I mentioned where the Gold Mines were.

Is the Monopoly of Tobacco universal throughout the Company's Dominions in India?

In Districts where it is not grown, it is, I believe; where it is grown, Arrangements are made with the Growers to deliver the Produce, for Exportation,

tion, to Government. Not having had Charge of those Districts, I am not able to speak positively in respect to them, further than as far as I have referred to in Mr. Sullivan's Reports on the Subject. T. H. Baber, Esq.

From whence does the Tobacco come which is brought into Malabar?
The adjoining Province of Coimbatore.

Are there greater Difficulties imposed on the Cultivation in Malabar than in the adjoining Province of Coimbatore?

It was prohibited altogether, with the Exception of a few Individuals, in Wynaad; and I believe in Coimbatore they can cultivate it only under Licences, and that they are obliged to sell what is exported to the Government.

If any Person was at liberty to cultivate Tobacco in Malabar, without Restriction, would the Quantity be increased?

Certainly; but it would not be nearly sufficient for the Consumption of the Province. They have always drawn their Supplies from Coimbatore.

Are there no other Sources from whence Malabar is supplied with Tobacco but the Province of Coimbatore?

None that I know of. I believe that a small Quantity is occasionally smuggled from Mysore, and also brought in Vessels from Bengal; but there is a very high Penalty, if discovered.

Are the Company the only Purchasers of Tobacco, whether raised in Malabar or Coimbatore?

The exclusive Purchasers, to the Extent I have stated.

And they put what Price they please upon it, without reference to the Expence of Cultivation or the Means of the People who want to buy it?

I can only judge of the Effects of the System; Monopoly, that is. Not having been employed in making the Settlement with the Growers, I cannot tell the Principles on which it was made; but from the Effect of it in Coimbatore, as reported by Mr. Sullivan, I should certainly say that the People had Cause of Complaint.

Are Cardamums used in Malabar by the Natives?

In very small Quantities. I do not believe that One hundredth Part of the Produce is consumed in the Country.

The Soil and Climate are suited to the Production?

I believe the Ghaut Mountains of Malabar and Coorg is the only Part of India where it is produced.

What is the Nature of the Prohibition which exists with respect to Cardamums; is it as to the Cultivation, or the Sale?

The Growers are obliged to give the whole Produce to the Government Contractor.

May any Persons cultivate it?

Any Persons who own that Description of Land. It is not propagated from Seed; it is indigenous. It is produced in the Recesses of the Mountain Forests, by felling Trees, and afterwards burning those Trees. Where the Tree has fallen, in the Openings, or Fissures, that is, in the Soil, the Cardamum Plants make their Appearance. The only Manure is the burning of those Trees. In Soonda Balagat there are Plantations of Cardamums, but the Fruit, Berry, that is, is very inferior to the natural Production.

The main Expence of the Cultivation is the cutting down the Trees and burning them?

Yes; and guarding against Squirrels, Rats, and other Vermin.

T. H. Baber, Esq.

Is it a Shrub ?

Yes ; it is a Species of bulbous Plant, and grows Three or Four Feet high.

Are the Forests in which it is found public or private Property ?

Wholly private Property. There may be a few Forests which have escheated to Government ; but I believe they have all now been given up to the original Proprietors ; such Portion, that is, that had escheated to the Government through the Rebellion of the Proprietors.

They do not allow the Persons to whom the Property belongs to sell the Cardamums to any Person who chooses to buy it ?

No ; they are obliged to give it to the Contractor.

Are those Lands liable to the Land Assessment ?

Not those Tracts occupied by the Cardamums. Other Spots cultivated with dry Grains and Cotton are assessed to the Revenue ; all other Hill Products are farmed out.

What is the Price of a certain Quantity of Cardamums ?

I should say the Market Price averages from 800 to 1.000 Rupees the Candy of 640 Pounds Avoirdupois.

Is that the Price they generally give to the Grower ?

No.

What do they give him ?

At the Rate of from 550 to 700 Rupees ; though they are often, particularly the Mountaineers called Coorchers, Kadar, &c., left at the Mercy of the Contractor, who puts an enhanced Value on the Coins he pays them, or makes them take Tobacco, Cloths, Salt, Oil, Beetle Nut, and such necessary Articles. I have known Arab Merchants, and Merchants from the Gulf, Sind, &c., pay 1.200 Rupees for the Candy to the Coast Merchant ; but then there is an Export Duty to pay out of it.

Is it the Practice in Malabar to impress Persons on the Part of Government as Coolies ?

It is ; and a most intolerable Grievance it is.

For what Purpose are they impressed ?

To serve as Porters to marching Regiments, Detachments, and all European Travellers.

Is that a Practice confined to Malabar, or does it extend to other Parts of India ?

I believe it is universal ; wherever I have been it exists.

What Compensation is made to them for their Labour ?

They vary, at the Discretion of the local Officers of Government. Often Men who never carried Burthens in their Lives have been pressed. I have known them seized and confined, sometimes for Days, before the Detachment or the Regiment arrived at the Station where they were required. This also formed one of the Subjects of my Representation to the Court of Directors in August last.

By whose Authority was that done ?

The Commanding Officer of the Regiment ; and individual Travellers make Requisitions on the local Authorities for the Number of Coolies they require. They issue their Orders to the Native Servants generally.

Is the Collector authorized by any superior Authority to take any Person that he chooses for these Purposes ?

Certainly not ; it is an Abuse. There are Orders from the Government to assist Regiments, Detachments, &c. ; but certainly not to use any thing like Coercion.

So

So that any Collectors who have so acted have gone beyond their Authority?

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I do not say that they have actually authorized such Acts of Violence; but their Servants have.

Do you conceive them to be aware that the Servants carry their Orders into execution in the Manner they do?

I have myself repeatedly brought the Subject to their Notice; and certainly the full Measure of Redress has not been afforded. I have too often observed a Disposition to take the Servants Part; though I have myself witnessed these and other Atrocities committed by marching Detachments. I have seen Houses that had been unroofed for the Sake of the Thatch, as Fodder for the Cattle. I have known of Parties of Sepoys going into Houses and carrying away Rice, Fowls, Butter, and other Articles laid in by the Inhabitants for their domestic Use.

Is not the Commanding Officer of a Regiment particularly enjoined to specify to the Collector of the District the Day on which his Regiment will reach at certain Stations?

He is.

Is he careless in executing that Duty?

I believe it is always done; but from a Variety of Circumstances there may be Delays, such as Rivers coming down, which commanding Officers cannot possibly foresee. The Native Servants are obliged in many Parts of the Country, Days before the Detachments arrive, to send out their Kolcars or Peons to press the Inhabitants, for as soon as it comes to their Knowledge that Detachments or Europeans are on the Road, they invariably run away and hide themselves.

Have you known any Instances of Resistance to those Oppressions?

Very frequently; so far, that is, as running away, and occasionally Contests with the public Servants.

Do the Coolies receive a Remuneration for their Services?

They do.

How are they paid?

Merely for the Trip, without reference to the Number of Days they may have been coming from their Homes, or waiting the Arrival of the Troops, or required to return to their Homes.

What Proportion does it bear to the Wages of Labour in the Country?

They are the generally established Rates; the Orders from the Collector to his Servants are to provide them at the established Rates; but there are very few People in the Interior who can really be called Porters; that is, who are willing to carry Burdens; they are the Peasantry, and consequently Cultivators or Artificers.

There is a common Rate of Labour?

At the European Stations; but there is nothing of the kind among the People themselves, but the Wages of Agriculture, &c.

Is the Use of Tobacco general throughout India?

As far as I know of India. On the Western Coast it is a Necessary of Life; so much so, that Slaves, if they do not receive Tobacco with their Rice, will run away from their Masters.

Where is it grown?

In the whole of the Carnatic, I believe; chiefly in the Districts of Salem and Coimbatore; also in Mysore, Tanjore, Trichinopoly, Madura, and Tinivelly. Of Bengal or Bombay I am not competent to speak with Certainty, excepting the Southern Mahratta Country, where Tobacco is grown in small Quantities.

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Do you know any thing of the Quality of it, as compared with the American Tobacco?

All I can say is, that on the Western Coast the Coimbatore is preferred to any other Tobacco.

Have they the Choice of any other?

They had, before the Monopoly; but I never heard that they used it. It is the same with Salt; which, though inferior to other Salt, they always prefer to Foreign Salt, which I believe makes them ill.

You mean to say, that their Preference of it is no Proof of its Excellence?

No. I know no other Reason for their preferring it.

You do not know any thing of its comparative Excellence, as compared with that in America?

No.

Is it grown in such Quantities as to render it an Article of Export to this Country, if required?

I believe its Cultivation might be carried to any Extent, with due Encouragement on the Part of Government.

Where are the Cardamums exported to; where is their principal Consumption?

To this Country; to all the Ports in India, Arabia, and the Red Sea; I have heard of Mahomed Ally Pasha's Ships taking large Quantities; the Persian Gulf, Bombay, and to all the Ports North of it; and to Sind, &c. up the Indus.

Do you think more Attention would be paid to the Cultivation or Collection of it, if the Trade was free?

Undoubtedly.

So that an additional Value would be given to the Land where it grows?

That would be the natural Consequence.

Are there any Silk Establishments in the Part of the Country with which you are acquainted?

Not where I have been in Authority. I introduced one myself while I was at Dharwar, which succeeded remarkably well; it was entirely conducted by the Convicts of my Gaol.

Is the Soil suited to the Growth of the Mulberry?

Yes, the White Mulberry.

How long was it before you left India that you established it?

Two Years; that is, in 1815, 1816, and Part of 1817?

Does it continue to this Time?

I am afraid that my Successor has not taken the Interest in that and other new Manufactures and Cultivation I introduced; such as Indigo and Bourbon Cotton; also in weaving Cotton, Woollen, and Hemp by means of English Looms, &c. &c.

Is there any Obstacle arising out of the Regulations of the Government to the Extension of Cultivation?

None whatever; but I do not think sufficient Encouragement is held out to the People.

It requires a considerable Capital to carry it on extensively, does it not?

No, I did not find that the Case with either Silk or Indigo; they appeared to me to be attended with very little Expence.

How long is it before a Mulberry Plantation is sufficiently productive in Leaves to make it repay for the planting? *T. H. Baber, Esq.*

A Year or Two, it will produce. After the first Year, I have had them gathered in my own Garden, and those Gardens planted by the Convicts; watering regularly every Day during the hot Months, they produce an abundant Supply.

Did you ever endeavour to induce any Persons having Property to undertake the Cultivation of the Mulberry?

I held out all the Encouragement I could, by inviting the People to look at my Plantations and Manufactures; I also sent Specimens of the Silk I had made all over the Country. I had periodical Sales of both Silk and Indigo. Whenever I went on Circuit through my Districts, I took with me Two or Three of the English Looms, to instruct the People in the Use of them. Those with the Flying Shuttle were made by Two Soldiers out of the European Regiment at Belgâm.

What do you conceive to have been the Cause that prevented Individuals embarking in it?

For Want of sufficient Encouragement, and competent Persons to undertake it.

Do you think it would answer to any British Subject possessing Capital to undertake upon a large Scale the Cultivation of the Mulberry?

I think it would be a very advantageous Speculation. My periodical Reports of the Labour of my Convicts, to the Government of Bombay, will shew the Extent to which I carried these new Speculations.

In what Part of the Country was it that you established this?
At Dharwar, in the Southern Mahratta Country.

Is that the Seat of the Local Government?
It is.

If any Individual had proposed to take Land on Lease for the Purpose of trying an Experiment of that Kind, would he have obtained a Lease for that Purpose?

Certainly not, if he was an European.

Did any European ever apply for Permission to have Land on Lease for that Purpose?

The Two Soldiers, whom I had employed, and who had been Glasgow Weavers, after having been, I think, a Month, and just as I was sending them back to their Regiment, intreated of me to write to the Commanding Officer to obtain their Discharge, that they might carry on the Silk and Cotton Works. Those were the only Europeans I had an Opportunity of seeing.

Do you conceive that an European bringing Capital into the Country for a Purpose of that kind would be prejudicial to the Inhabitants, or to the Interests of the Government of the Country?

I should be very apprehensive that Europeans settling and occupying Land would be extremely prejudicial to the Interests of the Natives.

By occupying Land, do you mean holding it by Lease?
Yes; holding Land on any Terms.

In what Way would it be prejudicial to the Natives, if the Natives let the Lands to the People on their own Terms; the Question not referring to the indiscriminate Introduction of Europeans, but a Person wishing to establish himself for the Purpose of carrying on a Business of that Kind?

From the Tendency of the strong to oppress the weak, which I have seen, wherever Europeans have been in the Interior, at a Distance from European Stations; and the People would not complain against them Nine Times in Ten,

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partly through Fear, and partly for Want of the Means to subsist themselves from their Cultivations and Homes, and to pay their Road Expences, &c.

So that if any Person, be his Character what it might, should apply for Permission to establish himself for this specific Purpose, it would be wise Policy, in your Opinion, to refuse him Permission?

Certainly; and another Objection is, I think, that whatever the Character of the European was, his superior Intelligence would give him such a decided Superiority over the Native Operatives, that the whole Industry of the Country would centre in him.

If it gave Employment to the Labouring Class, how could it injure them? They already get Employment, which they would quit to work for Europeans.

It would be attracting Labour to them where there is at present none? It might benefit the Labouring Classes; it might have the Effect of raising their Wages; but still the Inhabitants would be Sufferers.

Would that be an Injury to them?
Certainly not to the Labouring Classes.

You stated that you thought the Silk Trade was likely to be an advantageous Speculation to any one who entered into it?
I did.

Do you know the State of the Silk Trade in any other Part of India?
No. I believe it is carried on to a great Extent in Bengal; some also is made at Seringapatam.

Do you know that there have been several Speculations?
No; except at Seringapatam, where there were about 500 Families who gained a Livelihood by it.

Do you know the History of any Establishment, or whether they have been abandoned?
No; I do not know of any Establishment in any Place, except at Seringapatam.

Do you know that Silk is at present imported into this Country at a great Loss to the Company?
No, I do not.

Do you know of any Instances in which the Cultivation of Indigo has been carried on by Europeans?
I believe it has in some Parts of the Madras Territory; at Arnee in the Carnatic, and in the Eastern Parts of Coimbatore.

Is that within your Knowledge?
Yes. I have been in company with Indigo Planters at Vellore and Coimbatore.

Has that Cultivation been felt to be an Injury to the Natives?
I have never been in Charge of those Districts, and am not competent to say; but I do not believe that the Europeans so engaged have found the Speculation answer their Expectations.

You have not had an Opportunity of seeing any Instances of such Cultivation in Bengal?
No, I have not; all I know is, what I have stated of Indigo Cultivators.

Would not the Employment of Capital in that Way lead to the Creation of Offices in which the Natives would be very advantageously employed; such as Agencies and Stewardships, and Offices of Inspectors and Superintendents?
Necessarily the Agency of Natives must be taken advantage of.

Would

Would not it be very likely to be very beneficial?
To the immediate Individuals, no doubt.

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So far, therefore, as such Offices were created, the Natives would be benefited,
and an Incitement held out to their Exertions?

Not the Natives generally.

Has Sugar been grown to any considerable Extent in the Parts of the Country
you have been acquainted with?

Not to any Extent. I know that Experiments have been made in Amgera,
kandy Plantation in Malabar, by the late Mr. Brown, and also by another
European of the Name of Skelton, at Mangalore, but both abandoned them.

The Witness is directed to withdraw.

Ordered, That this Committee be adjourned to Thursday the 29th Instant,
One o'Clock.

Die Jovis, 29^o Aprilis 1830.

The LORD PRESIDENT in the Chair.

The Honourable ANDREW RAMSAY is called in, and examined as follows :

Evidence on
the Affairs of
the East India
Company, &c.

What were the various Situations you held in India ?

I was about Twenty-five Years in the Commercial Department, Six Years in the Salt Department, and about Two Years in the Revenue Department. I was altogether about Thirty-four Years in the Service of the East India Company, on the Bengal Establishment.

*The Hon.
Andrew Ramsay.*

Where did you reside in the Commercial Department ?

Principally at Jungypore from the Year 1804 to the Year 1818, and then again from 1824 to 1829.

In what Years were you in the Salt Department ?

From 1818 to the End of 1823.

What were your Duties in the Commercial Department ?

The first Six Years I was in the Commercial Department I resided at Ghazeepore, in the District of Benares ; I was Assistant to the Resident of that Station. The Duties were, the Provision of Cloth, Sugar, and Opium ; and from 1804 to 1818 my Duties were entirely confined to the Silk Investment.

Were you concerned in the Sale of the Imports of Merchandize from England ?

No, I never was, in any way whatever.

Have the Company large Establishments for the Purpose of the Silk Manufacture ?

Very large ; I think about Twelve Stations, or Residencies, as they are called.

Have any individual European Residents any Factories of the same Description ?

I believe several have, but not equal in Magnitude to any of the Company's Residencies.

In the Company's Factories do they manufacture Piece Goods ?

At One or Two Factories only ; at Cossimbazar Factory, at Malda, and Santipore ; I do not recollect any others where Piece Goods are made.

Is the Manufacture of Silk Goods continued at those Factories ?

It was when I left India.

What Process is carried on at the other Factories ?

The winding of the raw Silk from the Cacoons.

Is that in no Case a domestic Manufacture in India ?

Yes it is, but quite a different Process, and is what they term Putney Silk, which Silk is employed in the Manufacture of Piece Goods.

How is that Silk employed which is wound off by the Company ?

It is all sent to Europe in a raw State.

Do the Mulberry Trees and the Worms belong to the same Persons in India ?

Sometimes they do ; but, generally speaking, they do not. The Mulberry

*The Hon.
Andrew Ramsay.*

is cultivated by one Class of Persons, and the Worms are reared by another, though in many Cases the Mulberry Cultivators keep Worms also.

Do those that are possessed of the Worms wind off the Silk?
I never recollect an Instance of it at the Company's Factory.

What is the Difference between the Italian and Indian Worm; does there appear to be a great natural Difference between them?

Not a very great Difference; but there is so great a Difference that those that are at all accustomed to them can see the Difference at once.

Which Species of Worm is in most general Use?
The Native Worm of India.

In a much larger Proportion?

I should think, at the Factory where I was, there might probably have been about a Twenty-fifth Part of the Italian Worm used. It is only at a few Factories in India the Italian worm is reared at all. I believe the Factory I was at was the first where it was brought into Use.

Is the Silk of the Indian Worm inferior to that of the Italian Worm?
I always considered it so.

Is it much weaker?

That was the Objection I always found to the Country Worm.

Is it produced in smaller Quantities?

I believe the Quantity produced from an equal Quantity of Worms is nearly the same, but that may be owing to the Italian Silk being spun much finer than the other Qualities.

How many Harvests of Silk are there in the Year from the Indian Worms?

I think it may be considered that there are Four principal Harvests from the Indian Worm, November, January, March, and June, they are the Four principal Harvests; but at some Factories there are One or Two Harvests more I think, but November and January are the principal.

Is the Silk in November and January much greater in Quantity and much better than at the other Seasons?

It has always been considered so.

Can Silk be obtained from the Italian Worm at more than One Period of the Year?

I never knew it produced oftener than once a Year.

Have there been any recent Importations of the Italian Worm into India?
Not since I have been in the Service.

In your Opinion has the Silk obtained from the Italian Worm become deteriorated of late Years?

I always understood from the Court of Directors Letters to India, that it had improved very much.

Is that your Opinion?

That is my Opinion decidedly, that it has so improved; the Question I understand to refer to the reeling of the Silk.

The Question refers to the Quality of the Silk furnished by the Italian Worm?

I should suppose, from the Reports I have read, that it has fallen off very much in Quality, and that the Fibre of the Silk when it was first imported to India was much stronger than it now is. It has certainly fallen off in Quantity, and I should think it has also fallen off in Quality.

Have any Attempts been made to increase the Manufacture of Silk in the Houses of the Natives?

No; I look upon the Attempt to be impossible.

On what Ground?

Want of Capital on the Part of the Natives, in the first place; and I have always understood that the Manufacture of Silk was a losing Concern.

The

The Question refers to the winding off of the Silk ?
The Natives have not the Means of purchasing the Apparatus for it.

*The Hon.
Andrew Ramsay.*

To what District in Bengal is the Silk Worm confined ?

Generally speaking, to the whole of Bengal Proper, with the Exception of the Eastern Districts ; there is no Silk produced there ; the Country is unfavourable for it.

Is any produced in the Upper Provinces ?

I believe it has never been attempted in the Upper Provinces.

Are you aware whether there are any further Difficulties in the way of its being cultivated in the Upper Provinces ?

I should think the Climate is the principal Objection to it.

The Cold or the Heat ?

Principally the Heat ; the Heat in Bengal generally destroys the Worms, and I should think the Heat in the Upper Provinces would do it still more. For Three or Four Months in the Year, in the Upper Provinces, it is so dry no Vegetable scarcely will grow, while in Bengal, during the hottest Weather, it does grow.

Did the Servants of the Company in any Manner interfere with the Purchases of Silk Individuals desired to make in the Interior ?

Yes, it is their Duty to do so ; the Company make Advances, and it is the Duty of the Company's Agents to see that the Silk for which those Advances are made is not made away with by any Body ; but Individuals very often do it ; Merchants very often purchase the Silk for which the Company's Advances have been made, and that is the cause principally of the heavy Balances which the Company have outstanding in the Silk Districts.

The Object of the Question was to ascertain whether the Servants of the Company used any Authority, given to them by Law or by the Power of the Government, for the Purpose of interfering with the Mercantile Interests of Individuals ?

Certainly. If I found an European Merchant carrying away the Silk for which I had advanced Money, I would take it away from him ; and if I could prove that in a Court, I could recover heavy Damages.

Had you any Power, as a Servant of the Company, in the making an Investment of Silk which was not possessed by any other individual Commercial Speculator in the Interior ?

Certainly, considerable.

State what it was ?

There are Privileges given to those who receive the Company's Advances ; they cannot be summoned in Civil Suits, except when the Investment is at a Stand, or after a Silk Harvest, for Instance ; and they are protected from the Oppressions of the Natives more than those who are not employed under the Company. The Native Police commit great Oppressions upon the Natives.

Have you any Authority, as a Company's Servant, over the Natives, except that which arises from Advances previously made to them ?

I conceive not.

You were understood to say that Persons who receive Advances from the Company have certain Privileges, which they would not possess if they received Advances from Individuals ?

Yes, that is the Case.

Is any Silk cultivated otherwise than by Advances ?

A considerable Quantity.

With reference to the Silk which has been cultivated by Advances made of private Speculators, and for a Competition with the Company in its Purchases, how have the Company, by their Agents or Residents, the Advantage ?

The Company's Prices at the Company's Factories generally regulate the Prices of the Day. There is only One District in India where there is any very large Quantity of Silk made that is not taken by the Company—that is the District of Rajeshaye, in which the Residency of Bauleah is situated.

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Andrew Ramsay.*

In what Manner do you understand that the Price given by the Company regulates the Price to be given by other Persons; is it so high as to induce the Grower to sell all his Silk to the Company, and higher than a private Speculator would be willing to give for it?

I believe it has been latterly so very high, the Court of Directors have complained very much against it; and it is so high that no private Merchants have of late Years been able to purchase Silk with any Prospect of Advantage.

Can you state on an Average the Price per Pound at which the Company have purchased the Silk, and the Price at which they have been enabled to dispose of it?

I cannot state the Price at which the Company have disposed of it, for I have seldom had an Opportunity of seeing the Account Sales and actual Expences; but the Prices that have been given for it, I always understood, were much higher than the Court of Directors approved. Latterly they were from Twelve to Fourteen Rupees a Sier of Two Pounds Weight.

Have not the high Prices given for Silk by the Company enabled them to command all the best Silk in the Market?

I believe, as much as they wished to procure they have obtained in the Market.

Is not the Silk exported from India by the Company very superior in Quality to that exported by Individuals?

Certainly it is.

It sells much higher in the English Market, does it not?

I have always understood so.

You are understood to say, that they keep the private Speculator out of the Market by the high Price which they give?

The Company always give a liberal Price. There is no fixed Way of settling the Price, it is left to the State of the Market; if Piece Goods are in great Demand, it has an Effect upon the Price of the Company's Investments.

The Question alludes to Raw Silk rather than Piece Goods?

Any Rise in the Price of Piece Goods affects the Price of Raw Silk; for the Raw Silk and the Piece Goods are made from the same Article, though differently prepared.

When you say Silk cost from Twelve to Fourteen Rupees a Sier of Two Pounds, do you mean on the Spot of its Growth?

I mean at the Factory. I speak from the Invoices which I used to send to the Board of Trade, when I sent Dispatches of Silk.

Are you able to state what additional Charges would be put upon it, to bring that Silk to London?

No, I am not; but I should think from Fifteen to Twenty per Cent. I can speak from my own Knowledge of one Speculation I made in Silk in the Year 1805, when Marquis Cornwallis went to India; he arrived in the Month of July, and immediately put a Stop to the Company's Investments. There was a great Scarcity of Money at the Time in the Market, and the Silk People came to me to know what was to be done with their Silk; I told them I could not take their Silk, and they must sell it to Individuals; their Answer was, there were no individual Purchasers in the Market, and they could not sell it. There was a Discount on Bills at that Time of Fifteen per Cent., between Calcutta and Moorshadebad. They, the Brokers, came in a Body and offered to give me their Silk, and to take the Loss of the Fifteen per Cent. upon themselves, which I agreed to. I sent the Silk to England, and I lost, I think, about Two thousand Pounds upon it.

Upon what Quantity?

I think there was about £20,000, and I never traded in Silk again.

Can you state at what Rate the Cultivator can afford to grow the Silk; whether it is Matter of Profit to the Cultivator?

No, I cannot state that, because they always pretend to lose by it; and it is a very difficult Thing to find out what it costs them.

Though

Though they pretend to lose by it, is the Growth voluntary ?
Entirely voluntary.

Are many induced to continue who have once begun it ?
It has been increasing of late Years.

Was there not a Right of Pre-emption independent of Advances exercised by the Company ?

I have never understood so.

In what State do you receive the Silk from the Natives ?
In the Pods, which are called Cacoons.

You reel it for yourself ?
It is reeled in the Factories belonging to the Company.

When you talk of Seven Rupees a Pound, do you mean in the State of Cacoons ?

No ; I mean the Silk after it has been reeled off, when it is invoiced and sent to Calcutta, which is the last Process.

Do you reel the Silk before you communicate to the Cultivator what Price he is to receive ?

The Prices are fixed while it is reeling ; they are sent to the Board of Trade for their Approval. They collect all the Prices, and state their Objections to the Prices of any particular Factory, if one should much exceed in Price the others.

How do you ascertain the Quantity ?

After the Pods are received into the Factory, they who rear the Worms have no further Concern with them ; the People who furnish the Raw Material, the Cacoons, have nothing to do with reeling the Silk.

What Price do you pay them for the Cacoons ?

The Price is regulated by the State of the Market ; if there is a great Demand for Piece Goods, the Putney or Bengal reeled, which is the Article of which the Silk Goods are made, regulates the Price.

How many Pounds of Cacoons do you Average to One Pound of Silk ?

If the Weather is very favourable, the Quantity of Silk produced from the Maund of Cacoons of Eighty Pounds is greater than if the Season has been unfavourable ; but on the Average I look upon it to be something under Four Pounds, or about a Twentieth Part.

Your Payment to the Cultivator is not made according to the Number of Cacoons furnished, or the Weight of the Cacoons, but the Quantity of Silk that they reel off from those Cacoons ?

There are Two Ways of doing it ; one Mode is by paying for the Green Material, and when that is paid for, the Rearer of the Cacoons has nothing to do further with the Process, he is paid so much for each Maund of Cacoons he has furnished ; another Plan adopted at the Factories is, that the Rearer of the Cocoon waits 'till his Cacoons are reeled off in the Factory, and according to the Produce of the Silk he is paid so much per Pound for the clean Silk which those Cacoons have produced.

How many Months in the Year are the Leaves on the Trees ?

All the Year, excepting at the Moment that they cut them down. When the Worms come into Life, and are old enough to eat, the Mulberry is cut down close to the Ground, the young Leaves are then given to the Worms, and those Leaves again sprout up, and may be cut within Two Months from the Time they were first cut.

How high does the Mulberry grow ?

The Mulberry, when it is first cut, may grow about a Foot or a Foot and a Half in Height ; and in the rainy Season, when it is allowed to grow, it rises from Six to Ten Feet in Height in the Course of Three or Four Months ; and previous to the Silk Harvest commencing for the ensuing Year, or late in the Month of October, after the Rains have ceased, the Mulberry Plants are cut down to the Ground.

*The Hon.
Andrew Ramsay.*

At what Distance do they stand from each other in the Field?
I think they are planted very like Potatoes in this Country, in Drills, nearly about the same Distance, in some Parts.

Have you ever seen them sown in Drills?

They do not sow it with a Plough, but they plant it. I believe the same Root lasts from Ten to Fifteen Years. The Court of Directors wished the Natives to use the old Leaves in preference to young Leaves; but the Natives were averse to it, and it could never be carried into effect.

Were any Europeans, conversant with the European Cultivation of Silk, living among the Natives, and forming Establishments in Bengal?

There were in the District of Bauleah several, but none in the District where I was.

Was the Silk of that District supposed to be superior to that of the other Districts?

I believe inferior; certainly not superior.

Do you know what was the Cause of that Inferiority?

I cannot answer that Question; the Factory I was at was the original Factory where the Italians were first settled when the Company sent to Europe for Men to introduce the Italian Mode of winding the Silk; and I believe the Jungypore Silk has always been considered among the best in the Country.

How long ago is it that the Italians were sent there?

About the Year 1760, or between that and 1764.

Do you happen to be aware whether, when the Indian Raw Silk is imported into this Country, any Goods are manufactured from that Silk alone?

I do not know. I saw a Man weaving Silk at the Repository at Charing Cross; and, on asking him a few Questions upon the Subject, he told me that the Bengal Silk was so weak they were obliged to have Italian Silk for the Cross Threads.

What is the first Year you were acquainted with Silk?

The Year 1804.

What was the Price you paid at that Time?

I cannot exactly recollect, but it was considerably less than it is now; it has been rising since.

Has it been at all improving in Quality since?

I have always understood that the Company's Silk was very much improved in Quality.

Do you refer to that grown from the Indian Worms?

Of all Descriptions.

Has not some Change been made in the Mode of taking the Duty on Silk?

I think there has been a Change made since the Renewal of the Charter in 1815 or 1816.

It was taken on the Pound indifferently; was not it?

I do not recollect that the Company paid any Duties at all before.

When they first paid Duties, how was it?

I do not recollect now; the Duties are charged in a different Way from that in which they were before.

How are they charged now?

There is an Entry made in the Books, and a Charge made, but no Duties were ever actually paid by the Factory where I was.

Did not that Change in the Mode of taking the Duties lead to the Introduction of a greater Proportion of the lower Kinds of Silk in preference to the better Kinds?

I cannot, without Reference to the Accounts, answer that Question.

Do you recollect any private Individuals who had Filatures during their Residence in India?

*The Hon.
Andrew Ramsay.*

I know One myself who had very extensive Filatures — Mr. Fruchard, afterwards Inspector of the Company's Silk Investment.

Do you know any others?

There was a Mr. Watson who had considerable Filatures.

Do you know what was the Fate of those private Adventures?

I believe Mr. Frouchard was a very poor Man, and I have understood died very much involved. Mr. Watson is still alive, but I believe does not carry on the Silk Business.

Is not that owing to the Company producing the Silk and selling it at Home at a considerable Loss, so that it became impossible for Individuals to carry on the Trade profitably?

I should think that is the Case, that no Persons would like to deal in an Article they must lose by.

Do you know what the Average Loss is upon the Silk?

No, I never heard.

Did the private Speculators make Advances to the Natives in the same Way as the Company?

No, I never knew them do so.

The only Silk that the private Speculators were supplied with was the Country Wound Silk?

There are many Natives reel Silk in the same Way as the Company, according to the Italian Mode, and that Silk is sold to any Person who chuses to purchase it.

Does not it require some Capital?

Many Natives employed in the Silk Trade have large Capital, but that is chiefly confined to the Bauleah District.

The Natives who furnished Silk to the private Speculators were not entitled to the Privileges which were conferred on those who furnished Silk to the Company's Agents?

No. I beg to observe that those Regulations, with respect to Privileges, have since been done away with. The Orders had arrived before I left India, and there was a Regulation framing when I left Calcutta.

The Natives who furnish Silk to the Company now possess no more Advantages than those who furnish it to Individuals?

I cannot speak to the Regulations precisely.

Do you know whether Indian Silk is now used for manufacturing Purposes in England, for which it was formerly thought unfit?

I cannot take upon myself to answer that Question.

Do you conceive the Quality of Indian Silk is susceptible of much further Improvement?

I do not think that it is, for the great Defect in the Silk is want of Staple.

Is any Silk imported from China to Bengal?

No, not that I am aware of.

Do you know the Result of some Experiments that were tried at Singapore, for the Improvement either of the Manufacture of Silk or the Cultivation of the Mulberry?

No, I never heard of them.

Did the Italians, on their Arrival in India, alter the Mode of the Cultivation of the Mulberry?

I believe not the least; I never understood that they did. It is entirely different from that of their own Country, but I believe they did not alter it.

Has there been an Improvement of the Manufacture of Silk at the private Establishments corresponding with that in the Company's Factories?

I do not know. I never was in the private Factory of any Individual.

*The Hon.
Andrew Ramsay.*

How long were you employed in the Superintendence of the Salt Manufactory?

I was nearly Six Years in the Salt Department.

At what Place were you stationed?

I was stationed, for about Ten Months, in the Twenty-four Pergunnah Agency, though only Three actually resident; then Five Years in the Tumlook Agency.

Have the Goodness to state in what Manner the Salt was provided?

By Advances to the Molungees, who are the People who manufacture the Salt.

Was the Condition of those Molungees as good as that of any other Labourers in the Country?

Fully as good, and in many Cases better.

Are there any Means of increasing the Supply, without any considerable Increase of Cost?

If higher Prices were given for Salt, of course more could be produced; but I always understood there was as much produced as was required for the Consumption of the Country. For Three or Four Years together, the Government tried the Experiment of giving an increased Price, and having a larger Quantity of Salt made; that was about the Years 1814, 1815, 1816, and 1817. But there was an enormous Loss to the India Company from the Experiment, and it was never adopted afterwards.

Do you know what the Alteration in the Retail Price was under that Arrangement in 1814, whether it rose considerably or fell?

I cannot answer that Question, I do not know.

Is the Salt sold by the Company in large Quantities?

It is sold at Monthly Sales, or every Two Months.

Is the Quantity to be sold known before Hand?

It is always advertised at the beginning of the Year what Quantity will be sold in that Year, and I think they pledge themselves that not more than a certain Quantity shall be sold; and at the beginning of the Year when the first Sale is announced, the different Sales of the Year are also put into the public Paper, and Proclamations published at the Salt Offices.

Is it sold in large Parcels?

It is sold I think in Lots of Three or Five thousand Maunds; the Quantity deliverable at the Agencies is in Lots of 250 to 1,000 Maunds each Lot.

Is the Trade chiefly in the Hands of large Capitalists?

The first Purchasers are large Capitalists, who purchase what is called the Tuncas, and those Tuncas are sold to Merchants in the Interior, who receive the Salt at the Agency Warehouses, and carry the Salt into the different Districts.

Is the Price obtained by the Purchasers at the Sale very much larger than that given by them to the Company?

I cannot exactly say what Advance they get, but the first Purchaser, no doubt, gets a Profit.

The Tunca is an Order for the delivery?

Yes.

Are you aware what Difference there may be between the Price at which the Salt is retailed, and the Price at which the Company sell it?

I have known the Prices paid for Salt at the Company's Sales to vary from 340 or 350 Rupees for 100 Maunds to 595 per 100 Maunds.

What is the Weight of a Maund?

Eighty Pounds.

Can you state, when the Price of the Maund was 350 Rupees, what the Price of that Maund retailed would have been?

No, I had no Opportunity of knowing that; I can state generally what I have paid for Salt myself, which has been about Five Rupees a Maund, but then

then it is not so pure ; the Price in the Country is generally about Five Rupees a Maund.

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Andrew Ramsay.*

Does the Price in the Country not vary very much ?

I do not think it does.

Does it not vary with the Price at the Sale ?

The Price at the Sale would have a little Effect upon it, but I do not think much.

Have any Europeans become Purchasers of Salt to any large Extent ?

I have often heard of Europeans having Salt sold to them ; but I never recollect hearing of any one who had made any thing by it.

Is Salt ever sent into the Interior in large Quantities ?

Merchants resident at large Bazaars very often do so ; but, generally speaking, it is carried in small Quantities in Return Boats ; it is a very heavy Article, and there is great Danger in dragging it up against the Current.

On whose Account is it so transmitted into the Interior ; on Account of Persons to whom the Boats belong, or the Merchants in the Interior ?

Merchants very often have Boats their own Property, but they also freight Boats. Of course the Merchants resident in large Markets carry on a very extensive Trade in Grain and Salt, and different Articles.

What Return Cargoes do those Boats carry into the Interior besides Salt ?

A Variety of different Articles ; Cocoa Nuts, or any thing that is required in the Province to which they are going.

Have they generally a full Freight when they go back ?

Seldom or never.

So that the Cost of the Conveyance of the Salt is not very great ?

I should suppose that is one Reason why Europeans cannot succeed in the Trade, that the Natives can do it much cheaper, by sending small Quantities in the Return Boats. For instance, a Merchant residing at Patna sends certain Quantities of Grain to Calcutta, for the Use of the Horses there, and he receives back by those Boats the Articles that will sell in that Part of the Country ; but they never freight their Boats so heavily as when they go with the Current.

Do you know any Instances of Salt being imported into India from Europe ?

I heard of One or Two Ships that were sent from Liverpool a few Years ago.

Do you know whether the Adventure succeeded ?

I understood that it did succeed, and that the Government immediately put an additional Duty on all Salt that might be imported.

Do you know whether the Price at which that Salt imported from Europe was sold was one that could have come into Competition with the Price of Salt made in India, had the Manufacture of Salt there been free ?

No, I am sure it could not. If the Manufacture of Salt in India was free, there would be very little Salt required, for the Natives would make it in every District of the Country.

Is there any Prejudice on the Part of the Natives against the Use of Salt imported by Sea ?

Many Natives of high Caste would rather starve than eat the Salt from this Country ; no Hindoo of good Caste would eat any thing from on Board a Ship.

Is that on account of its having been prepared by Persons not Hindoo ?

Not only prepared, but any Articles touched by Europeans they will not eat.

Do you mean to state that there are the Means of preparing Salt at any considerable Distance from the Sea, and in various Parts of the Country ?

The Salt is produced by various Means in India ; there is a Lake the Bottom of which is entirely formed of Salt, called the Sambre Lake ; but there is a Duty, I believe, on that Salt, if imported into the Company's Provinces ; and they

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they also make Salt in the same Way, I apprehend, as they make Saltpetre. It is not so good Salt, but they can make it, I have heard, in small Quantities.

In what Part of the Country are the Salt Manufactories of the Company?

In the lower Parts of Bengal, and in those Parts only along the whole Mouths of the Ganges, and up the Rivers and Creeks adjoining.

Cannot Salt be provided in this Part of the Country at a much cheaper Rate than it could any where else, except the Salt Lake?

Certainly.

Could not that Salt be manufactured so cheaply as to undersell any Salt made in any other Parts of the Country?

I have no doubt it could be; many Natives would manufacture a little for their own Use.

Is Salt generally manufactured on Advances?

Entirely by Advances.

To whom are the Advances made?

Individually to the Molungees, (who make the Salt,) in the Presence of the Agent.

Can you state what is the Amount of Advance made to each Molungee?

It depends upon the Quantity of Salt Land he has to manufacture his Salt from.

Is a Molungee invariably the Proprietor of Salt Land, or is it allotted to him?

He is either a Proprietor himself, or he rents it. They are generally Renters, and the Company pay a Remuneration to the Zemindar of the District in which the Salt is manufactured.

Speaking generally, are the Molungees indebted to the Company on their Advances, or are they on the Delivery of their Salt free from all Embarrassment.

I do not recollect, during the Time I was Salt Agent, that there were any Balances at the End of the Year, and Rewards are invariably distributed to those who conduct themselves with the greatest Propriety.

Do you conceive it is in the Power of any Molungee, without Difficulty to leave the Manufacture of Salt?

Certainly it is; but it is generally considered to be a very great Punishment to be dismissed from the Service.

Are you not aware that an Impression contrary to that Statement prevails in this Country?

I have heard it often mentioned.

Do you know on what it is founded?

I conceive there is no Foundation in Truth whatever for it; for there is no Class of People in the World better looked after, or more kindly treated, than the Molungees employed in the Salt Monopoly in India.

Can you state at how much a Maund the Salt is produced; how much the East India Company gives for it?

The Price given by the East India Company varies in different Districts. In some Parts the Land Produces more Salt. For Instance, in the Hidjeelee Agency, situated between Tumlook and the Sea, the Earth is, I believe, more deeply impregnated with Salt than it is in the Tumlook District, consequently the Price given was less; for the same Reason, in the Districts in my Agency that were nearest the Sea, they received a less Price than the one nearest Calcutta.

In the District where it was most easily produced, how much was paid for it?

I think Half a Rupee a Maund; and in the most Northern District I think Twelve or Fourteen Annas, which is very nearly double.

So that the Sale Price is about near Six to Eight hundred per Cent. on the Cost Price?

Very nearly that.

What

What is the Quality of the Salt ; is it refined ?

No, it is not refined ; it only undergoes one boiling.

Is it to be compared to the Salt eaten in this Country ?

I think it is very far superior.

In what Respects ?

It is not so bitter as the English Salt.

Is it better than our Refined Salt ?

I should think better than any Europe Salt.

Are the Crystals large ?

It is very fine ; it is not in Crystals at all.

Is the Madras Salt ever brought into the Market at Calcutta ?

It depends upon the Quantity of the Salt in Bengal ; if there is not a sufficient Quantity of Salt produced in Bengal, Government issue Proclamations with the Prices which will be given for the Salt from the Coast, and then Ships touch at the different Ports on the Coast and bring the Salt to Calcutta.

Except when the Salt produced under the Monopoly is not sufficient to meet the Amount advertised, the Importation of Madras Salt would be prohibited ?

I conceive so.

Can you give any Information as to the Price that Madras Salt has produced ?

No, I cannot.

Is its Quality inferior to that of Calcutta Salt ?

I believe it is inferior, and sells at a much lower Price, though a much higher Price is given by the Company than for their own.

For what Reason is it bought at a higher Price by the Company ?

To avoid Disappointment by the Natives, I conceive, from a smaller Quantity being made than the Supply of the Country requires.

Is much Salt consumed by the Natives ?

They cannot live without it.

Has any Complaint been made to your Knowledge of the Quantity consumed by each Individual ?

I do not recollect exactly ; I have heard it often ; I never heard the Natives complain of the Monopoly of Salt.

Do you conceive that if they were permitted to manufacture Salt, as you state, at a very low Price, the Consumption would be much increased ?

No ; I do not think it would.

Can you state what the Price of Salt is in the Interior, at any Distance from Calcutta ?

To the best of my Recollection it may be stated to be Five Rupees a Maund, that is about 200 Miles above Calcutta ; I believe it is as dear in Calcutta ; but then the Natives who purchase the Salt adulterate it very considerably after it leaves the Company's Warehouses.

Can you state at what Price the Salt imported from the North, and carried over the District, is able to compete in the Market with the Salt in Calcutta ?

It is not, I believe, brought down in large Quantities lower than the District of Benares, nor would it answer, I conceive, to carry the Calcutta Salt higher than Benares.

How far is Benares from Calcutta ?

By Land it is about 400 Miles, and by Water about 700.

Can you state at what Distance from Benares the Salt brought into Competition with that from Calcutta is brought to it ?

I cannot state exactly the Distance.

How are the Countries not under the Government of the Company supplied with Salt ?

There are vast Quantities of Salt produced in the Western and Northern Parts of India, but I do not know how they are regulated.

*The Hon.
Andrew Ramsay.*

Do you know at what Price that is sold ?

No, I have no Idea.

Is much Salt illegally made, or smuggled in ?

I believe every Molungee almost is in the habit of smuggling a little Salt, which makes them so much attached to the Business ; and some Molungees I have known very rich Men.

What is the Penalty on smuggling ?

The Penalties on smuggling were Fine and Imprisonment, but I believe it was very seldom inflicted. I do not remember having committed any Person to Prison for smuggling, for I considered in some Instances the Molungees were not sufficiently paid for their Salt ; it (the low Price) operates more against the Company themselves than as an Oppression towards the Natives who make the Salt.

Do you conceive it would be impossible to abolish the Monopoly and substitute an Excise Duty on the Manufacture, combined with a Custom Duty on the Importation ?

I think it would be very dangerous to do it ; and it would require some Time to prepare the Natives for such an Alteration.

What do you foresee to be the Difficulties ?

That it might have an Effect on the Supplies of Salt in the Interior, and the Difficulty of defining who should have the Salt Lands ; they are possessed by Zemindars generally as their property, so that if the Company were to give up the Monopoly, the Land would fall into the Possession of Men who would have the sole Power of making Salt ; and in the District where I was, the Lands were generally possessed by Two People — the Rajah of Tumlook, and the Rajah of Mysadul. I paid a Sum every Month to those People of about Five or Six thousand Rupees, as a Remuneration for the Lands that were appropriated to the Salt Manufacture.

Do you conceive any other Difficulty would arise to the Imposition of such a Duty than that of framing proper Regulations ?

The Supply would be at first very uncertain ; and as the Natives do not complain of the Monopoly, I conceive it would be a very dangerous Experiment to try ; the Monopoly would fall into the Hands of some Persons.

You say that Salt might be manufactured any where ?

Yes ; but of course the Earth produces very little, and the Salt is not so good, and it would be only the poorest Class of Natives who would think of taking that Trouble ; probably it would be difficult for them to get a Supply in Time, if any sudden Change was made in the Monopoly.

Do you ascribe the principal Difficulty to the Abruptness of the Change rather than its being in the End nearly impracticable ?

I do not think it is impracticable at all.

Are the Lands now occupied by the Company for the Purposes of Salt Manufacture divided amongst a great Number of Proprietors ?

I cannot answer that Question without reference to Records upon the Subject. I believe every Native Molungee who receives Advances from the Company pays a Salt Rent for the Land from which he is to manufacture the Salt.

How many Salt Agencies are there ?

Seven or Eight.

Would there be greater Danger of Adulteration in the Event of the Monopoly of the Company ceasing ?

I think there would be very great Danger ; it increases the Danger if the Manufacture rests with Individuals.

Is it a voluntary Bargain on the Part of the Persons on whose Lands the Salt is made, or is the Land assumed by the Government as an Act of Authority ?

I cannot answer that Question decidedly, there is a Remuneration paid to the

the Zemindar by the Salt Agent ; but it occurs to me that that is a Remuneration for the Right their Ancestors held, and that the Natives who manufacture the Salt pay a Revenue for the Lands occupied by them for that Manufacture.

*The Hon.
Andrew Ramsay.*

Is the Amount of that Revenue fixed by Government ?

I think the Government have some Means of checking any Imposition.

Can you state what was the Number of the first Purchasers of Salt at the Company's Sales ?

I cannot.

Are they Persons of large Capital ?

They are generally considered as Persons of large Capital.

Are they a numerous Body ?

I believe they are a very numerous Body.

Is there much Competition ?

I conceive them all to go together, that it is a Sort of second Monopoly, and that they receive a very small Profit on a very large Sum of Money, which in the course of Time makes them large Capitalists.

Are they Natives ?

Yes, they are Natives.

Do the first Purchasers never sell the Salt by Retail ?

I believe never.

Are the Persons who purchase the Salt from them numerous ?

There are a certain Number from every District between Benares and Calcutta, Salt Merchants ; People who trade in Salt also trade in Grain and all other edible Commodities.

The first Purchasers purchase at the Auction ?

Yes.

Are the second Sales by private Contract ?

Those Tuucas are sold at so much Advance per Cent.

Can you state at how much per Cent. in general ?

I never had an Opportunity of knowing.

Do those Persons whom you describe as the second Monopolists agree together not to give more than a certain Price, or do they bid against each other ?

The Impression upon my Mind is, that they agree together what Price they will give.

What is there to prevent those who are now the second Purchasers being the first Purchasers ?

I know no Rule that prevents them ; they might, if they had Capital sufficient.

Is the Quantity in each Lot so large as to deter them ?

No, I do not think that it is ; though one Lot might be more than they would require.

The Lots are 5,000 Maunds ?

Yes, to the best of my Recollection, they are either Three or Five thousand ; I cannot recollect precisely which.

Do you consider the Situation of the Molungees as improved, compared to what it was some Years ago ?

Most certainly it is.

There were some Courts of Justice specially formed for their Protection, were there not, some Years back ?

I do not know that any were ; but new Regulations were framed, and the Government have always exercised great Vigilance in every thing relating to the Salt Department.

*The Hon.
Andrew Ramsay.*

What were those Measures of Improvement by which their Circumstances have been ameliorated?

They took place so many Years before I was in the Department, that I cannot satisfactorily answer that Question; but it was in the Time of the Government of the Marquis of Wellesley the new Arrangements were made; and I believe there was more Corruption on the Part of the Europeans than there is now, that the whole System was corrupt.

Have you Reason to think that, before this Improvement took place, their Situation was peculiarly unfavourable, as compared with that of the rest of the Natives?

I should not suppose that their Situation was particularly hard; for they participated, of course, in the Corruption which existed throughout the whole Department.

Do you know whether any Measures have been adopted with a View of making the Employment less unhealthy than it used to be?

I conceive it impossible to do that, for it is the Situation of the Country which is unhealthy.

You think the Employment is now as unhealthy as it was Twenty Years ago? Quite so.

Were you concerned in the Purchase of Investments of Indigo?

No, I never was.

When you were resident in the Interior, had you Occasion to see the Conduct of the Indigo Planters?

I have often seen the Conduct of the Indigo Planters.

Before they had Permission to hold Lands in their own Names, in what Manner did they obtain Land for the Purpose of cultivating Indigo?

They obtained Lands by farming the different Zemindarries in the Names of their Servants, and they had just as much Possession of the Land before as any Law or any Act of Parliament could give them.

Did it appear to you that any practical Inconveniences arose out of the former System of Farming in the Name of their Servants?

I conceive very great Inconvenience to arise from that.

State what they were?

Various Oppressions of the Planters towards the Natives.

Of what Nature were those Oppressions?

Compelling them to sow a larger Proportion of Land with Indigo than they would otherwise be inclined to do, and by taking their best Lands.

Did those Oppressions arise out of the System; namely, the System to which they were forced to resort, by not being allowed to hold Lands in their own Names; or did they arise out of the necessary Connection that was existing between them and the Natives?

It arose out of the Competition which takes place between Indigo Planter and Indigo Planter residing in the same District.

When they forced the Natives to apply their best Lands, and a larger Portion of the Land than the Natives desired, to the Cultivation of Indigo, whose Power did they exercise?

The Power of the Zemindar.

Was it from the Zemindar they took the Lease?

The Zemindar may rent his Land to Three or Four People. The Zemindar lets it to what is called an Izardaar, or Farmer; the Izardaar again to what is called a Durizzardar, or Under-farmer; and each gets a considerable Profit on the Lands, and the Natives are in consequence very much oppressed.

Under that System were any Measures adopted for preventing the Lessor from delegating, or the Indigo Planter from exercising, Power which did not belong to them by Law?

I conceive the Farmer stands exactly in the Shoes of the Zemindar, and is bound

bound by the same Law which regulates his Conduct towards the other Parties.

*The Hon.
Andrew Ramsay.*

Are the Rights of the Zemindar over the Lands within his Zemindarry in all Circumstances ascertained, or do they vary in different Parts of the Country?

I believe they vary in different Parts of the Country.

Before those Leases were granted, were any Means taken to ascertain the Rights of the Zemindar in that particular Zemindarry?

That I cannot answer.

Do the Indigo Planters make in all Cases Advances to the Cultivators?

I believe in almost all Cases they do.

What Powers have they for the Purpose of forcing the Ryots to observe the Conditions of the Leases made with them?

They have no Power, except that of resorting to the Courts.

Are there Instances in which Ryots have made Agreements with more than one Person for the Produce of the same Field?

I believe many Instances; that it is an Occurrence that happens daily in every Part of Bengal.

Does that lead to much Litigation or Violence?

It leads to great Violence and great Oppression.

By whom is the Oppression exercised?

By the different Indigo Planters and their Servants.

That is, in endeavouring to force the Ryot to perform both Obligations?

Yes; and in cutting the Weed to which both Parties conceive they have a right, violent Affrays take place, and Bloodshed and Murder frequently occur.

Do such Violences occur oftener in Parts of the Country where there are not Europeans?

I believe not.

Is it the Fact that an Individual is more disposed to take the Law into his own Hand, when he thinks he has no Right?

I think so.

Has the Manufacture of Indigo been improved by the Indigo Planters?

I have always understood it has been greatly improved within the last Twenty Years.

What is the Condition of the Persons who act under them; are they in a comfortable Situation?

Under a good Master they are very comfortable, and under a bad one they are very much the Reverse.

Should you say that the Condition of the Ryots who labour for European Indigo Planters was generally better than that of other Ryots?

I should say it was not better.

Are they not equally well remunerated, or does the Inferiority of their Condition result from those occasional Acts of Violence?

Indigo is a very uncertain Plant; the Native is put to great Expence in cultivating his Field, and very often it yields nothing; and where the Indigo Planter who makes Advances on the Land is inclined to be oppressive, it leads to the most serious Consequences to those Individuals.

Do you think that the Measures adopted by the Indigo Planters lead to a more extensive Cultivation of Indigo than would take place if Europeans were not engaged in that Article of Commerce?

Yes.

That is, that the Indigo Planters adopt Measures for forcing the Ryots to cultivate Indigo, and that has led to more extensive Cultivation of the Plant?

The Indigo Planter farms the Lands in the first Instance, and that compels those Persons either to sow a certain Quantity of Indigo, according to the Quality of the Land he possesses, or he deprives him altogether of his Land, and turns him out.

*The Hon.
Andrew Ramsay.*

Has not the Ryot in most Parts of the Country by Law a Right to cultivate his Land in what Manner he pleases?

Yes.

That Right is interfered with by the Indigo Planters?

Yes, it is.

All that the Ryot owes to the Zemindar is a certain Portion of the Produce of his Land, whatever that Portion may be?

No; the Land pays a certain Revenue to the Person who holds the Lands.

He has entire Liberty to cultivate the Land as he pleases?

Yes.

Provided he pays that fixed Revenue, no one can displace him?

That was the Intention of the Regulations.

What Remedy has the Ryot when thus forced to cultivate the Land not according to his own Wishes, but those of the Indigo Planter?

He has no other Remedy than an Appeal to the Court.

What Chance has he of having that Appeal heard?

I believe he has very little.

What would it cost him to appeal to the Court?

That I cannot answer; it is to the Zillah Court that I refer.

Do you mean to say that the Cultivation of Indigo is carried on on a general System of Compulsion?

No, I am certain it is not; I am only alluding to a large Proportion of Planters in the lower Parts of Bengal, where a Number of low Europeans and Half-castes are settled.

The System of Compulsion is in fact an Abuse?

A great Abuse.

And it is confined to One District?

It is confined to the whole of Bengal.

Is it general throughout Bengal?

It is now becoming more general every Day. When I first knew Bengal, it was confined to the Districts near Calcutta — Kisnagur and Jessore principally.

Is the compulsory Cultivation of Indigo general throughout those Districts?

I believe it is.

And the perfect Impotence of the Law to protect the Natives against it?

I believe it is; but I beg, in Addition to those Two Districts, to add Three or Four more — Rajuhaye, Purneah, Malda, and Moorshadebad.

Throughout those Districts, is the Condition of the Ryot cultivating Indigo materially worse than that of other Ryots, speaking generally, otherwise than in the Instance of a very bad Master?

I speak in reference to the Three or Four first Districts I first mentioned merely from Report; I speak of Moorshadebad and Malda from what I have myself seen.

Of what Date?

In 1824, 1825, and 1826; and I say decidedly that the State of the Ryots in those Districts is in a very deplorable Condition, as compared with the other Ryots in the same Districts who do not cultivate Indigo.

Can you state what Number of Europeans are settled for the Purpose of cultivating Indigo?

No, I cannot.

Can you state how much Land is employed in the Cultivation of Indigo in the Province of Bengal?

I cannot answer that Question. I cultivated 100,000 Begas myself. I believe there are Two Begas and a Half to an Acre.

Does

Does not the Bega vary in Size in different Districts?
Very much.

Then it would be about 40,000 Acres you cultivated?
Yes.

Was that on your own private Speculation?
Yes; another Gentleman and myself.

Is it generally a profitable Speculation?
I found it so when Indigo was only Half the Price it now is; and I believe it has been a very losing Speculation since the Price of Indigo increased.

How do you account for that?
The Oppressions of the Natives, and the great Competition existing amongst the Mercantile People in India.

Has the Expence of Cultivation increased?
Every thing connected in the Manufacture of Indigo has increased, and the Seasons have been very unfavourable for many Years past.

Has the Expence of producing Indigo much increased?
Taking into Consideration the Failure of the Seasons, it has been very much increased. For the last Five or Six Years there has not been one good Crop of Indigo.

Has a much greater Quantity of Land been applied to Indigo Cultivation?
I believe not; I believe the same Lands; all the alluvial Lands on the Borders of the Ganges.

Is the Cultivation annually extending?
It is only an annual Plant. In the Upper Provinces of India it is a triennial Plant.

Has more Land been brought latterly into Cultivation?
I believe latterly Cultivation has increased to a great Extent.

The Price, notwithstanding, has continued to increase?
It has.

In the Part of India where it is an annual Cultivation, is Indigo planted the Second Year on the same Lands?

Yes; the Lands, generally speaking, are overflowed by the Ganges, and a Sediment is deposited, which manures the Lands; and if no Inundation takes place, the next Season is almost certainly a Failure.

That has been the Case?
It has been the Case for several Years.

Is the triennial Indigo of a different Quality from the other?
It was till lately. They found out within these few Years that by boiling they can make it nearly as good as the Bengal Indigo; but I believe it has never been considered quite so good.

Is it grown exclusively on Lands which are subject to Inundation?
In Bengal it is generally sown on Lands subject to Inundation, and no Person will sow any other Lands if they can get those; but since the Cultivation became so great, I believe Lands that are not inundated are also sown with Indigo.

Is it an exhausting Crop?
I should think it was, from the Strength of the Roots and the Size of the Roots.

Do you know whether, in some Parts of the Country where Indigo is grown, there is amongst the Ryot's Race an increased Consumption of European Manufactures as compared with other Districts where it is not grown?
No, I do not believe there is.

What Right of holding Land is now given to an European Planter?
I do not know what has taken place since I left India.

*The Hon.
Andrew Ramsay.*

Is the Cultivation entirely in the Hands of Europeans?
Not altogether ; some of the Natives have considerable Factories.

Is the Indigo manufactured by Natives as good as that manufactured by Europeans ?

I believe not.

During the Period in which it was such a beneficial Employment of Capital to Europeans, do not you think the Ryot shared at all in the Advantages which arrived to the State ?

I think they did. 'Till the Cultivation took place in Bengal, I think the Ryots were comparatively happy ; I have heard them say so themselves.

For some time after European Capital was first invested in that Employment, was not the Situation of the Ryot engaged in the Cultivation considerably improved ?

The Introduction of that took place long before I went to Bengal, and I cannot give a satisfactory Answer to that Question.

Do you think that it can be attended with great Advantage to the European Cultivator, without leading to some Improvement in the Circumstances of the Ryot, as to Wealth and increased Comfort ?

I think it might do so ; but the Effect it has had has generally been the reverse, I think, speaking from my own Observation.

Do you happen to know whether, in those Districts in which Indigo is grown, the Collection of the Land Revenue has been facilitated ?

I believe the Collection of the Land Revenue in Bengal has always been effected without the least Difficulty ; but I have no doubt the Introduction of Indigo Planters into the Interior of India has of course circulated a much greater Capital than would otherwise have been the Case ; but I believe there is no Difficulty in collecting Revenue in Bengal, because the Provinces were assessed so much below what they might have been.

Were you ever at Tirhoot, in Bahar ?

I have been in that District, but never resided in it.

Did you observe there an Appearance of increased Wealth among the Ryots ?

I believe there is no doubt that there is.

Was there a considerable Consumption of European Manufactures ?

That I cannot speak to ; I should think the Natives employed in the Cultivation of Indigo make very little Use of European Manufactures of any Kind.

What was the Condition of the Ryots in that Part occupied by yourself in the Cultivation of Indigo ; was their Situation comfortable or otherwise ?

I can only speak from what I have heard from themselves, that they were comfortable, and that it was my Interest to make them comfortable.

Then the Difficulties you speak of were obviated on your Part where you resided ?

There was not that Competition at that Time that existed in the other Parts of the Country.

Those Oppressions of the Ryots have taken place since the great Competition ?

Chiefly when I was concerned in Indigo myself, I made a Point of making the Situation of the Ryots as comfortable as possible.

Might not those Oppressions of which you have complained be easily obviated in other Instances as they were in your own ?

If the same Conduct is observed to be followed up, it might be ; but a very different Class of Persons have come into Possession of the Factories, Country-born Half-castes, and One or Two Europeans.

As Principals or as Agents ?

As Principals.

Did you reside in the Place where your Indigo Plantation was carried on ?

Yes, I did, about Forty Miles above Moorshadebad.

Do Persons who have taken those Lands for the Cultivation of Indigo generally reside there ?

They generally reside on the Lands. In some Cases the Agents in Calcutta have a Share in the Factories, but not in all.

Is there much Difference in the Situation of the Ryot, whether it is conducted by the principal in Person or by Agents ?

I should conceive not.

What has led to this Change in the Description of Persons who manage the Indigo Plantations ?

The Introduction of a greater Number of Europeans of course has led to the Change.

Do those European Indigo Planters retire to England at a certain Age ?

Some of them do, if they can make the Change.

Do many of them remain in the Country ?

I believe very few who can quit it.

Do their Sons succeed them in the Indigo Plantation ?

Very commonly they do.

Do they marry ?

Yes, sometimes.

Where do they get their Wives ?

They marry the Daughters of Indigo Planters, I suppose, or any body they can get.

Is the Race they leave a white Race or a mixed Race ?

Both white and mixed.

Do they divide their Property amongst those Persons of different Colours ?

That I do not know.

Do you recollect any Indigo Plantation which has been for more than One Generation in the Hands of Europeans ?

There has not been Time enough for that since I was in India ; but I believe it was considered so profitable a Thing that many Gentlemen came home, leaving their Property in the Hands of Agents in India.

Are those Indigo Plantations established by means of Capital imported into India from England, or by means of Capital borrowed from the Agents at the Presidency ?

Generally by Capital borrowed from the Agents at Calcutta.

Are the Persons to whom those Plantations belong generally Persons of substantial Wealth themselves ?

I believe a very small Proportion are at all in comfortable Circumstances.

Have they not been considered as the Agents of the Agents in Calcutta ?

In many Cases they may be considered the Servants or Superintendents of their Agents.

How do those Persons you have described first get established in the Indigo Plantations ?

Through Recommendations, I suppose, in many Cases.

Can a Person who is in India go to any Part of India he pleases, and follow any Line of Life he likes, without some Leave from the Government there ?

None ought to do it ; but no respectable Man is ever refused Leave, I believe, and many get Leave who ought not to have Leave.

Have you heard of the Failure of the House of Palmer and Company, at Calcutta ?

Yes.

Are you aware that that House was principally connected with Indigo Plantations ?

I do not know, but I have heard they were.

*The Hon.
Andrew Ramsay.*

Do you mean to say, that among Indigo Planters there are not many respectable Men?

I mean to say there are many very respectable Men; Men of the highest respectability.

And Men of Capital?

Not many Men of Capital.

What Capital they have they have acquired in that Country?

Yes; I never knew Men with Capital going out to India to establish an Indigo Plantation.

Have not many of the Disorders which have taken place in the Indigo Districts been occasioned by Disputes about Boundaries?

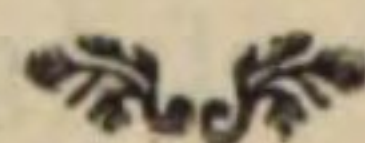
I believe that is the principal Thing which creates Disputes. Lands are thrown up by the Ganges, or great Rivers, and each Party claims those Lands.

Are not such Disturbances rather to be imputed to the Peculiarity of local Circumstances than to any defective Conduct or blameable Conduct in the Cultivator?

In some respects they proceed from local Circumstances, certainly.

The Witness is directed to withdraw.

Ordered, That this Committee be adjourned to Tuesday next, One o'Clock.



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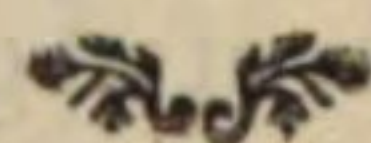
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